

**BG Eire Fund**

a sub fund of

**BG Eire ICAV**

Subscription Documentation

**FOR USE ONLY BY US PERSONS**

IMPORTANT

Investors should ensure that both the section headed “Declaration of Residence Outside Ireland” (if relevant) and the section headed “Signature and Declaration” have been signed before returning this to the Administrator.

ADMINISTRATOR

SS&C Financial Services (Ireland) Limited  
1st Floor, La Touche House  
International Financial Services Centre  
Dublin 1  
Ireland

Telephone: +1 646 827 2070

Facsimile: +1 914 729 9523

Email: [JSTradedesk@sscinc.com](mailto:JSTradedesk@sscinc.com) (trade instructions only)  
[BGAM.ir@sscinc.com](mailto:BGAM.ir@sscinc.com) (for queries)

## Notes

- Terms defined in the Prospectus, and any supplements thereto, have the same meaning in this Application Form.
- The BG Eire Fund (the “Fund”) a sub fund of BG Eire ICAV (the “ICAV”) reserves the right to reject any application in whole or part, in which event the subscription in the Fund will be rejected, at the risk and cost of the applicant.
- Applicants for Shares during the Initial Offer Period should complete and sign the Application Form and send their completed Application Form by email to [ISTradedesk@sscinc.com](mailto:ISTradedesk@sscinc.com) (with an original copy by mail) so as to be received by the Administrator by no later than 9.am (Dublin time) on the 28 October 2019.
- Following the close of the relevant Initial Offer Period, applicants for Shares and Shareholders wishing to apply for additional Shares, must send their completed Application Form by email so as to be received by the Administrator by no later than 5.00 pm (Dublin time) on the Valuation Day preceding the relevant Dealing Day and so that cleared funds are received by the Administrator no later than 5.00 pm (Dublin time) on the same day, failing either of which the application may be held over to the following Dealing Day and Shares will then be issued at the Subscription Price on that Dealing Day.
- The application (including any AML documentation) must be sent by email to be received by the Administrator as set out above. Originals must be sent by post to the Administrator.
- The minimum initial investment per subscriber will be €500,000 or its equivalent in GBP in aggregate across all Classes subscribed subject to the exceptions set out in the Supplement to the Prospectus. The minimum amount of additional subscriptions are set out in the Supplement subject to the Directors' discretion to permit a lesser amount in any particular case. The Directors may extend or shorten the Initial Offer Period at their discretion, having notified the Central Bank.
- Following the close of the relevant Initial Offer Period, investors may subscribe for Shares on each Dealing Day at Subscription Price. A subscriber may also be required to pay an additional amount as an Equalisation Credit.
- The Fund may, at the absolute discretion of the Directors, agree to issue Shares in exchange for the transfer of assets which would qualify as investment of the Fund in accordance with its investment objective and policies as herein provided. Such assets will be valued at a price in accordance with the Fund's valuation methods and the amount of Shares issued shall not exceed the amount that would be issued for the cash equivalent. The assets must be vested, or arrangements be made to vest such assets, with the Custodian. The Custodian must be satisfied that there is unlikely to be any material prejudice to any existing Shareholders in the Fund, before the Shares are issued.
- The Administrator will issue a written confirmation to successful applicants confirming acceptance of their application. Once completed applications have been received by the Administrator, they are irrevocable.
- Applications for Shares will not be dealt with and Shares will not be issued until receipt of notification that an applicant's funds have been cleared in the full amount of the subscription. Subject thereto, Shares are deemed to be issued on the relevant Dealing Day.
- Amendments to an investor's registration details or payment instructions will only be effected upon receipt of original documents.

- The Directors reserve the right to close the ICAV, the Fund or any Class of Shares to new subscriptions, either for a specified period or until they otherwise determine and either in respect of all investors or new investors only.
- The Directors may declare a suspension of the issue of Shares in the circumstances described in the Prospectus.
- The indemnification provisions in this application form shall be limited to a maximum amount equal to the amount invested by the shareholder in the Fund.
- For the purpose of this application form and related documents, if the shareholder is a pension fund or an entity or vehicle through which a pension fund is investing, the beneficial owner shall be deemed to be the pension fund and not the underlying pensioners or members or sponsor of the pension fund.
- In the event that the ICAV, the Investment Manager or Administrator has chosen to disseminate Fund information via a website that utilizes a website user or similar agreement (the "**Website User Agreement**") in connection with online communications with shareholders in general or a shareholder specifically, in the event of any conflict between such Website User Agreement and the ICAV's Instrument of incorporation, Prospectus or this application form (the "**Fund Documents**"), the provisions of the Fund Documents shall prevail.
- If the shareholder is a pension fund or an entity or vehicle through which a pension fund is investing, nothing in the Fund Documents shall prevent the shareholder from disclosing confidential information about the investment in the ICAV to the sponsor of the pension fund.

## APPLICATION FORM

This Application Form, together with the Money Laundering Verification Form and the Declaration of Irish Residency constitutes your agreement to subscribe for Shares in BG Eire Fund (the "Fund") of the class(es) referred to below. This Application Form and an IRS Form W9 (which can be located at <http://www.irs.ustreas.gov/pub/irs-pdf/fw9.pdf>) should be sent or faxed (in which case the original must also be forwarded) to SS&C Financial Services (Ireland) Limited (the "Administrator") at the address below:

**SS&C Financial Services (Ireland) Limited**  
**1st Floor, La Touche House**  
**International Financial Services Centre**  
**Dublin 1**  
**Ireland**

N.B. Application Forms must be completed in their entirety and in block capitals: incomplete or illegible forms will be rejected. Notification of any inaccuracies on Contract Notes issued after deals have been processed must be communicated to the administrators immediately upon receipt.

\* Delete as appropriate.

- ***In specie applications during the Initial Offer Period***

I/We hereby irrevocably apply for ..... number of Class A Euro Shares and ..... number of GBP Class A Shares in the Fund subject to receipt thereof for value no later than 5.00 pm (Dublin time) on the Valuation Day preceding the relevant Dealing Day on which this application is effective in accordance with the terms of the Prospectus.

During the Initial Offer Period, Shares will be issued in exchange for the transfer of assets in the context of the BGHL Offer (as defined in the Supplement to the Prospectus).

- **Cash applications (including applications for additional Shares)**

I/We hereby irrevocably apply for such number of Class A Euro Shares and GBP Class A Shares\* (including fractions) in the Fund as may be subscribed for with €/£\* ..... (amount in words) subject to receipt thereof for value no later than 5.00 pm (Dublin time) on the Valuation Day preceding the relevant Dealing Day on which this application is effective in accordance with the terms of the Prospectus.

- **Only applicable if a beneficial owner is investing in the Fund by way of multiple subscriptions through financial intermediaries (e.g. nominees)**

I/We hereby confirm that the beneficial owner, on behalf of which I/We am/are making this application, has certified to us that this beneficial owner is making the following other application(s) in the Fund on the same Dealing Date through the following financial intermediary(ies):

..... (name of financial intermerdiary)  
apply for Class A Euro Shares / GBP Class A Shares.....

..... (name of financial intermerdiary)  
apply for Class A Euro Shares / GBP Class A Shares.....

**Details of applicant (Please PRINT IN CAPITAL LETTERS)**

<p><b>Unit holder 1:</b></p> <input style="width:100%; height:30px;" type="text"/> <p><b>Mr/Miss/Ms/Title</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>First Name/Family Name/Company Name</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Street</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Town</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Country</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Postcode</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Phone</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Fax</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Email</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Tax ID number</b></p> <input style="width:100%; height:20px;" type="text"/>	<p><b>Unit Holder 2:</b></p> <input style="width:100%; height:30px;" type="text"/> <p><b>Mr/Miss/Ms/Title</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>First Name/Family Name/Company Name</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Street</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Town</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Country</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Postcode</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Phone</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Fax</b></p> <input style="width:100%; height:20px;" type="text"/> <p><b>Email</b></p> <input style="width:100%; height:20px;" type="text"/>
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**DETAILS OF INTERMEDIARY**

<b>INTERMEDIARY DETAILS (to be completed by intermediary)</b>	
<p><b>Name of Intermediary</b> <input style="width:100%;" type="text"/></p> <p><b>Mailing Address</b> <input style="width:100%;" type="text"/></p> <p><b>Contact</b> <input style="width:100%;" type="text"/></p> <p><b>Telephone:</b> <input style="width:100%;" type="text"/> <b>Fax:</b> <input style="width:100%;" type="text"/></p> <p><b>Email:</b> <input style="width:100%;" type="text"/></p>	<div style="border: 1px solid black; padding: 5px;"> <p>Total Front End Load ____</p> <p>% Commission to be paid to agent ____</p> </div>
<p><b>Note:</b> Any intermediary recorded above hereby confirms that they are complying with all necessary laws and regulations in entering or soliciting a third party to enter into this contract. In addition to verifying the source of funds, we are obliged to verify the identity of any investor located outside a country listed in Schedule E to the Guidance Notes issued by the Central Bank of Ireland as may be amended from time to time. Intermediaries falling into this category should supply the information detailed in the relevant section of the Money Laundering Verification Form. Unless this information is supplied, the Shares will not be registered by the Administrator.</p>	

**DIVIDEND & REDEMPTION DETAILS**

**YOUR BANK DETAILS**

Payment method: Telegraphic Transfer\*

(\*Telegraphic transfer details are quoted in the Section below entitled "Payment Details for Telegraphic Transfer Settlement")

If the section below is not completed, redemption will be paid by TT in favour of the registered shareholder or in favour of the joint registered shareholders as appropriate. The present instruction shall apply to the relevant Class and shall be valid until cancelled by me/us in writing. Joint applicants acknowledge that they are also bound by these instructions.

Upon receipt of a redemption instruction or a payment of a dividend pay proceeds to:

Name of Bank:

Account Name:

Bank Address:

Account Number:

Sort Code/SWIFT:

IBAN:

**AUTHORISED SIGNATORIES**

The Fund and the Administrator are authorised to act on the written instructions of any person listed below until further notice.

<u>Name</u>	<u>Signature</u>
1. .....	.....
2. .....	.....
3. .....	.....
4. .....	.....

## REPRESENTATIONS AND WARRANTIES

*Delete as appropriate*

### A. General Declarations

1. I/We hereby confirm that I/we have received and read the current Prospectus relating to the Fund and that this application is made on the terms of the Prospectus and subject to the Instrument of incorporation of the ICAV. In particular, I/we have reviewed the disclosures in relation to, and consulted my/our own independent advisers or otherwise satisfied myself/ourselves concerning: (i) taxation of the Fund and my/our investment in the Fund; (ii) the status of the Fund under the US Investment Company Act of 1940, as amended (the "1940 Act"); (iii) the nature of the proposed offering of Shares for the purposes of the US Securities Act of 1933, as amended (the "1933 Act"); (iv) issues relating to the US Employee Retirement Income Security Act of 1974, as amended ("ERISA"); and (v) the status of the Fund under the rules of the US Commodity Futures Trading Commission. I/We have also reviewed the United States Tax and Employee Benefit Plan Considerations attached to this document. I/We acknowledge that the Fund reserves the right to reject any application in whole or in part.
2. I/We am/are acquiring the Shares subscribed for herein for my/our own account, for investment purposes only, and not with a view to distributing or reselling such Shares in whole or in part.
3. I/We hereby warrant that I/we am/are a Qualifying Investor<sup>1</sup> and confirm to the Fund that I/we have the knowledge, expertise and experience in financial matters to evaluate the risks of investing in the Fund, am/are aware of the risks inherent in investing in the assets in which the Fund will invest and the method by which these assets will be held and/or traded, and can bear the loss of my/our entire investment in the Fund. I/We further confirm that I/we will notify the Administrator in the event that I/we cease to be a Qualifying Investor and will forthwith redeem my/our Shares or transfer them to a person who is a Qualifying Investor and who is able to make the above warranties.

1 A "Qualifying Investor" is:

(a) An investor who is a professional client within the meaning of Annex II of Directive 2014/65/EU (Markets in Financial Instruments Directive); or

(b) An investor who receives an appraisal from an EU credit institution, a MiFID firm or a UCITS management company that the investor has the appropriate expertise, experience and knowledge to adequately understand the investment in the scheme; or

(c) An investor who certifies that they are an informed investor by providing the following:

(i) Confirmation (in writing) that the investor has such knowledge of and experience in financial and business matters as would enable the investor to properly evaluate the merits and risks of the prospective investment; or

(ii) Confirmation (in writing) that the investors business involves, whether for its own account or the account of others, the management, acquisition or disposal of property of the same kind as the property of the scheme.

OR (Delete whichever is not applicable)

I/We hereby warrant that I/we am/are a Knowledgeable Employee (i.e. either a director of the ICAV, a director of the Investment Manager, an employee of the Investment Manager who is directly involved in the investment activities of the Fund or a senior employee of the Investment Manager who has experience in the provision of investment management services) and I/we certify to the Fund that I/we am/are availing of the exemption from the

AIF Rulebook for Knowledgeable Employees and that I/we am/are aware that the Fund is normally marketed solely to Qualifying Investors who (a) meet a high minimum net worth test and (b) are subject to a minimum initial subscription, as described in the Prospectus. I/We hereby confirm to the Fund that I/we have the knowledge, expertise and experience in financial matters to evaluate the risks of investing in the Fund, am/are aware of the risks inherent in investing in the assets in which the Fund will invest and the method by which these assets will be held and/or traded, and can bear the loss of my/our entire investment in the Fund. I/We further confirm that I/we will notify the Administrator in the event that I/we cease to be Knowledgeable Employees and will forthwith redeem my/our Shares or transfer them to a person who is a Knowledgeable Employee or a Qualifying Investor and who is able to make the appropriate warranties.

4. I/We hereby declare that the Shares are not being acquired and will not be held in violation of any applicable laws.
5. I/We hereby agree not to duplicate or to furnish particulars of the Prospectus, or to divulge any of its contents, to any person other than my/our investment, legal or tax advisors (who may use the information contained in the Prospectus solely for purposes relating to my/our investment in the Fund).

Notwithstanding the terms of this paragraph, applicants (and each of their employees, representatives or other agents as appropriate) may disclose to any and all persons, without limitation of any kind, the tax treatment and tax structure of (i) the Fund and (ii) any of its transactions, and all material of any kind (including opinions or other tax analyses) that are provided to them relating to such tax treatment and tax structure.

6. I/We hereby confirm that I/we shall be deemed to make, on a continuing basis, each of the statements contained herein unless I/we notify you to the contrary in relation to any Shares I/we may hold or obtain at any time.
7. I/We hereby agree to indemnify and hold harmless the ICAV, the Fund, the Directors, the Investment Manager, the Administrator and the Shareholders against any loss, liability, cost or expense (including without limitation legal fees, taxes and penalties) which may result directly or indirectly, from any misrepresentation or breach of any warranty, condition, covenant or agreement contained herein or in any other document delivered by the undersigned to the ICAV.
8. I/We hereby confirm that the ICAV, the Fund, the Directors and the Administrator are each authorised and instructed to accept, process (in the case of the Administrator) and execute any instructions in respect of the Shares to which this application relates given by me/us by facsimile or email. If instructions are given by me/us by facsimile or email, I/we undertake to confirm the same in writing. I/We hereby agree to indemnify the ICAV, the Fund, the Directors, the Investment Manager and the Administrator and agree to keep each of them indemnified against any loss of any nature whatsoever arising to each of them as a result of any of them acting on facsimile or email instructions. The ICAV, the Fund, the Directors, the Investment Manager and the Administrator may rely conclusively upon and shall incur no liability in respect of any action taken upon any notice, consent, request, instructions or other instrument believed, in good faith, to be genuine or to be signed by properly authorised persons.
9. I/We hereby consent to details of our shareholding being disclosed to the Investment Manager or any other companies within the Investment Manager's group of companies.
10. I/We hereby consent to the Administrator, its delegates, authorised agents and associated or affiliated companies using, disclosing, processing and transferring outside the European Union my/our personal data which is revealed on this Application Form or is disclosed by



me/us subsequently, regardless of the location of the offices of the Administrator, its delegates, authorised agents and associated or affiliated companies. All information provided in this Application Form will be treated confidentially by the ICAV, the Fund, the Investment Manager and the Administrator. However, the I/we understand that the ICAV, the Fund, the Investment Manager or the Administrator may present this Application Form and the information provided herein to such parties as deemed advisable if (i) called upon to establish that the offer and sale of the Shares is exempt from registration under applicable law, (ii) the information is required by any regulatory agency with jurisdiction over the ICAV, the Fund, the Investment Manager or the Administrator or (iii) the information is relevant to an issue in any action, suit or proceeding to which the ICAV, the Fund, the Investment Manager, the Administrator or their affiliates is a party or by which they are or may be bound.

11. I/We acknowledge that due to anti-money laundering requirements operating within their jurisdiction the Administrator and the ICAV and the Fund (as the case may be) may require further identification of the applicant(s) and the source of funds before the application can be processed and the Administrator and the ICAV and the Fund shall be held harmless and indemnified against any loss arising as a result of a failure to process the application if such information and/or documentation has been required by the parties referred to and has not been provided by me/us or has been provided in incomplete form. I/We acknowledge that redemptions will not be processed unless the relevant anti-money laundering requirements have been complied with.
12. I/We acknowledge and agree that, where I/we fail to meet all of the Administrator's verification and identification policies as applied from time to time in the Administrator's compliance with all applicable anti-money laundering laws and regulation imposed upon me/us, the Administrator, after notification to the Directors where relevant, may refuse to issue statements of account in respect of my/our holding in the Fund until I/we comply with such applicable verification and identification standards. Where relevant, any event of suspension set out above shall be notified without delay to the Central Bank of Ireland. Where possible, all reasonable steps will be taken to bring the period of suspension of issuance of statements of account to an end as soon as such investor complies with such verification and identification standards in force and is no longer in breach of any applicable law or regulation.
13. In accordance with the provisions of the applicable Irish data protection law, and, as of 25 May 2018, the provisions of the Regulation n°2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (together the "Data Protection Law"), I/we are informed that personal data given in this application form (or otherwise provided in connection with an application to subscribe for Shares in the Fund, on application or at any other time, including without limitation my/our name, age, contact details, bank account details, transactions and the invested amount, and any information regarding the dealing in Shares (subscription, conversion, redemption and transfer) (the "Personal Data"), will be collected, recorded, stored, adapted, transferred and processed, by electronic means or otherwise, by the Fund and/or or the AIFM (each a "Data Controller") as further described under the Data Privacy Statement attached to this application form at Schedule 8 (or otherwise available upon request).
14. I/We agree to notify the Administrator immediately if, at any time following my/our initial subscription for Shares, I/we become Irish Residents or hold Shares for the account or benefit of Irish Residents.

15. I/We confirm that we have reviewed the United States Department of Treasury's Office of Foreign Assets Control ("OFAC") website at <<http://www.treas.gov/ofac>> and hereby make the following representations:

- (1) I/We represent that the amounts subscribed by me/us for Shares were not and are not directly or indirectly derived from activities that may contravene US federal, state or international laws and regulations, including anti-money laundering laws and regulations.

Federal regulations and Executive Orders administered by OFAC prohibit, among other things, the engagement in transactions with, and the provision of services to, certain foreign countries, territories, entities and individuals<sup>2</sup>. The lists of OFAC prohibited countries, territories, persons and entities can be found on the OFAC website. In addition, the programs administered by OFAC ("OFAC Programs") prohibit dealing with individuals or entities in certain countries regardless of whether such individuals or entities appear on the OFAC lists.

<sup>2</sup> These individuals include specially designated nationals, specially designated narcotics traffickers and other parties subject to OFAC sanctions and embargo programs.

- (2) I/We represent and warrant that, to the best of my/our knowledge, neither:
- (a) I/we;
  - (b) any person controlling or controlled by me/us;
  - (c) if I/we am/are a privately held entity, any person having a beneficial interest in me/us; nor
  - (d) any person for whom I/we am/are acting as agent or nominee in connection with this application,

is a country, territory, individual or entity named on an OFAC list, nor is a person or entity prohibited under the OFAC Programs.

16. Please note that the Fund may not accept any amounts from an applicant if that applicant cannot make the representation set forth in the preceding paragraph. If an existing Shareholder cannot make these representations, the Fund may require the compulsory redemption of that Shareholder's Shares

17. Please note the Administrator reserves the right to request any such information and/or documentation as is necessary to verify the identity and the source of funds of a subscriber. In the event of delay or failure on the part of the subscriber in producing any information required for verification purposes, the Fund and/or the Administrator may refuse to accept (or process in the case of the Administrator) the application in which case any funds received will be returned without interest to the account from which they were originally debited.

18. Please note the account name must be the same as the Applicant name. If your bank is unable to wire the funds as per the specifications mentioned, the Administrator will request your bank to confirm in writing that the funds were wired from a bank account held with them in the name of the Applicant. And third party payments are not permitted

19. By way of example an individual may be required to produce a copy of a passport or national identification card which must display a photograph, signature and date of birth of

the bearer and be duly certified by a notary public, together with evidence of his/her address such as two original or certified utility bills or bank statements from a reputable financial institution. In the case of corporate applicants this may require production of a certified copy of the certificate of incorporation (and any change of name), memorandum and articles of association (or equivalent), and the names, occupations, dates of birth and residential and business addresses of all directors. Additional information may be required at the Transfer Agent's discretion to verify the source of the subscription monies.

20. Administrator may require further documentation or information in order to satisfy itself of the applicant's or client's identity.
21. I/We agree promptly to notify the Administrator in writing should I/we become aware of any change in the information set forth in these representations. I/we am/are advised that, by law, the Fund and/or the Administrator may be obliged to "freeze the account" belonging to me/us either by prohibiting additional subscriptions from me/us, declining any redemption requests and/or segregating the assets in the account in compliance with governmental regulations, and the Fund may also be required to report such action and to disclose my/our identity to the concerned regulatory and statutory authorities. I/we further acknowledge that the Fund may, by written notice to me/us, suspend rights of redemption if the Fund and/or the Administrator reasonably deems it necessary to do so to comply with anti-money laundering regulations applicable to the Fund, the Investment Manager or any of the Fund's other service providers.
22. I/We represent and warrant that, to the best of my/our knowledge, neither:
  - (1) I/we;
  - (2) any person controlling or controlled by me/us;
  - (3) if I/we am/are a privately held entity, any person having a beneficial interest in me/us; or
  - (4) any person for whom I/we am/are acting as agent or nominee in connection with this investment
  - (5) is a senior foreign political figure<sup>3</sup>, or any immediate family member<sup>4</sup> or close associate<sup>5</sup> of a senior foreign political figure<sup>6</sup>.

<sup>3</sup> "senior foreign political figure" is defined as a senior official in the executive, legislative, administrative, military or judicial branches of a non-US government (whether elected or not), a senior official of a major non-US political party, or a senior executive of a non-US government-owned corporation. In addition, a "senior foreign political figure" includes any corporation, business or other entity that has been formed by, or for the benefit of, a senior foreign political figure.

<sup>4</sup> "immediate family" of a senior foreign political figure typically includes the figure's parents, siblings, spouse, children and in-laws.

<sup>5</sup> "close associate" of a senior foreign political figure is a person who is widely and publicly known to maintain an unusually close relationship with the senior foreign political figure, and includes a person who is in a position to conduct substantial US and non-US financial transactions on behalf of the senior foreign political figure.

<sup>6</sup> Following notification in writing by applicants who are unable to make the foregoing representations and warranties, the Fund may conduct further due diligence and determine that investment by the relevant applicant is permitted.

23. If I/we am/are a non-US banking institution (a "Foreign Bank") or if I/we receive deposits from, make payments on behalf of, or handle other financial transactions related to a Foreign Bank, I/we represent and warrant to the Fund that:

- (1) the Foreign Bank has a fixed address, other than solely an electronic address, in a country in which the Foreign Bank is authorised to conduct banking activities;
- (2) the Foreign Bank employs one or more individuals on a full-time basis;
- (3) the Foreign Bank maintains operating records related to its banking activities;
- (4) the Foreign Bank is subject to inspection by the banking authority that licensed the Foreign Bank to conduct banking activities; and
- (5) the Foreign Bank does not provide banking services to any other Foreign Bank that does not have a physical presence in any country and that is not a regulated affiliate.

24. I/We understand and agree that any redemption proceeds paid to me/us will be paid to the same account from which my/our investment in the Fund was originally remitted, unless the Fund, in its sole discretion, agrees otherwise.

25. (Designated Bodies<sup>7</sup> only) I/We declare that I am/we are licensed as ..... (description) by the ..... (regulatory body) under the laws of ..... (country) and am/are thereby subject to regulations and/or guidelines which to the best of my/our knowledge and understanding are in accordance with the Financial Action Task Force Recommendations on the prevention of money-laundering and that this application is made in my/our name on behalf of my/our clients whose identity has been properly verified by me/us in accordance with the guidelines.

<sup>7</sup> A Designated Body is an individual or other entity which is regulated in respect of the provision of banking or investment services in a country which is a member of the European Union or the Financial Action Task Force ("FATF") (website address: [www.oecd.org/fatf](http://www.oecd.org/fatf))

26. I/We acknowledge that if the Directors become aware that I am/we are (A) holding Shares in breach of any law or regulation or otherwise in circumstances having or which may have adverse regulatory, tax, pecuniary or material administrative disadvantages for the ICAV, the Fund or its Shareholders; or (B) an Ineligible Applicant (as defined in the Prospectus); or (C) have failed to provide any information or declaration required by the Directors within ten days of being requested to do so, the Directors may (i) direct me/us to redeem, or to transfer the relevant Shares to a person who is qualified or entitled to own or hold, such Shares or (ii) redeem the relevant Shares. I/We agree that if I/we become aware that I am/we are holding Shares in contravention of any of the above provisions and fail to transfer or redeem my/our Shares pursuant to the above provisions, I/we shall indemnify and hold harmless each of the Directors, the ICAV, the Fund, the Administrator, the Custodian, the Investment Manager and the Shareholders of the Fund (each an "Indemnified Party") from any claims, demands, proceedings, liabilities, damages, losses, costs and expenses directly or indirectly suffered or incurred by such Indemnified Party arising out of or in connection with the failure of such person to comply with his obligations pursuant to any of the above provisions.

27. If the Fund becomes liable to account for tax if a chargeable event occurs, as set out in the Prospectus, I/we acknowledge that the Fund shall be entitled to deduct from the payment arising on such chargeable event an amount equal to the appropriate tax and/or where applicable, to appropriate or cancel such number of Shares held by me/us or the beneficial owner of the Shares as are required to meet the amount of tax. I/We agree to indemnify and keep the ICAV and/or the Fund indemnified against loss arising to the ICAV and/or the Fund by reason of the ICAV and/or the Fund becoming liable to account for tax on the

happening of a chargeable event if no such deduction, appropriation or cancellation has been made.

**Originating Account Information<sup>1</sup>:**

Wiring Instructions:

Bank Name: \_\_\_\_\_  
Bank Country: \_\_\_\_\_  
ABA No: \_\_\_\_\_  
SWIFT: \_\_\_\_\_  
Account Name: \_\_\_\_\_  
Account Number: \_\_\_\_\_  
Investor name: \_\_\_\_\_

28.

**B. Additional Declarations**

*Delete if not applicable*

29. *(Natural persons only)* I confirm that I have reached the age of majority under the laws of my country of nationality or domicile. I/We hereby authorise investigation of my/our identity, and agree to an enhanced ongoing monitoring should I/we be deemed to be Politically Exposed. Politically Exposed Persons are defined as “natural persons who are or have been entrusted with prominent public functions within the past year, as well as immediate family members, or persons known to be close associates, of such persons”.
30. *(Corporate applicants only)* We hereby confirm that we have the full right and power to make this Application and invest in Shares and all necessary corporate action has been taken to authorise this application and such investment.
31. *(Banks and Brokers)* We are a bank or broker and are making this application on behalf of clients for investment purposes. We hereby make each of the declarations in this Application Form on behalf of such clients

**C. Status of Applicant**

*The following information is required in order to ensure compliance with the appropriate regulations and to determine (i) whether an investment in the Fund is suitable for you in light of your financial position; (ii) whether you meet certain minimum net worth tests to be deemed an “accredited investor” as defined in Regulation D promulgated under the 1933 Act; and (iii) whether you qualify as a “qualified purchaser” under the 1940 Act.*

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<sup>1</sup> Important notice: please instruct your bank to ensure that the originating account and bank information is available in the wire. **Your transaction may be delayed or rejected if this information is not provided.**

**General**

Please initial either (27) or (28), and complete all appropriate blanks.

32. We are an employee benefit plan, an endowment, a foundation, a corporation, partnership, trust or other legal entity .....  
(Initial)
- organised under the laws of.....
  - with a principal place in.....

OR

33. I am an individual, or beneficial ownership is held by an individual .....  
(e.g. an Individual Retirement Account or Keogh Plan) of legal age .....  
and ..... (Initial)
- a resident of:

**National Futures Association Status**

Please initial (29), (30) or (31), and complete all appropriate blanks, indicating your status with the U.S. Commodity Futures Trading Commission (the "CFTC") and the U.S. National Futures Association (the "NFA").

29. I/We (or, if the we are a commodity pool, the operator thereof) .....  
am/are a member of NFA and is registered under the U.S. ..... (Initial)  
Commodity Exchange Act (the "CEA") as a:  
\_\_\_\_\_. (Please indicate the  
category or categories or registration, including commodity pool  
operator, commodity trading advisor, futures commission merchant,  
introducing broker, and retail foreign exchange dealer.) My/Our  
NFA ID number is \_\_\_\_\_.

30. I/We (or, if the we are a commodity pool, the operator thereof) .....  
represent that I/we am/are exempt from registration under the CEA ..... (Initial)  
pursuant to \_\_\_\_\_ and have made any necessary filings  
with the NFA in order to avail myself/ourselves of such exemption.  
(Please cite the section of the CEA or CFTC Regulation under  
which exemption from registration is claimed.)

31. I/We represents that I/we am/are not required to be a member of .....  
NFA or to be registered under the CEA because I/we do not ..... (Initial)  
engage in activity that comes within the definition of any of the  
registration categories.

**Accredited Investor**

Please initial all appropriate spaces, indicating the basis upon which you qualify as an Accredited Investor under Regulation D.

**For Individual Applicants Only**

32. I certify that I am an accredited investor because I have an individual net worth, or my spouse and I have a combined net worth, in excess of US\$1,000,000. For purposes of this Application Form, "net worth" means the excess of total assets at fair market value over total liabilities, excluding primary residence<sup>8</sup>. .....

(Initial)

8 Notwithstanding anything to the contrary herein, for purposes of determining "net worth", the value of the primary residence owned by an individual. In calculating net worth, an individual must include as a liability the amount of indebtedness secured by such individual's primary residence that is incurred (i) at any time and is in excess of the estimated fair market value of such residence, or (ii) within 60 days prior to the purchase date (other than as a result of the acquisition of such residence).

33. I certify that I am an accredited investor because I had individual income (exclusive of any income attributable to my spouse) of more than \$200,000 in each of the past two years, or joint income with my spouse of more than \$300,000 in each of those years, and I reasonably expect to reach the same income level in the current year<sup>9</sup>. .....

(Initial)

9 For purposes of this application form, individual income means adjusted gross income, as reported for federal income tax purposes, less any income attributable to a spouse or to property owned by a spouse, increased by the following amounts (but not including any amounts attributable to a spouse or to property owned by a spouse): (i) the amount received of any tax-exempt interest income under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"); (ii) the amount of losses claimed as a limited partner in a limited partnership as reported on Schedule E of Form 1040; (iii) any deduction claimed for depletion under Section 611 et seq. of the Code; (iv) amounts contributed to an Individual Retirement Account.

**For Corporations, Foundations, Endowments, Partnerships or Massachusetts or Similar Business Trusts**

34. We hereby certify that we are an accredited investor because we have total assets in excess of \$5,000,000 and were not formed for the specific purpose of acquiring the securities offered and that our investment in the Fund does not constitute more than 40% of our total assets. .....

(Initial)

35. We hereby certify that we are an accredited investor because all of our equity owners are accredited investors. The Fund, in its sole and absolute discretion, may request information regarding the basis on which such equity owners are accredited. .....

(Initial)

**For Employee Benefit Plans**

36. We hereby certify that we are an accredited investor because we are an employee benefit plan within the meaning of ERISA, and the decision to invest in the Fund was made by a plan fiduciary (as defined in Section 3(21) of ERISA), which is either a bank, savings and loan association, insurance company or registered investment adviser. ....  
(Initial)

The name of such plan fiduciary is:

37. We hereby certify that we are an accredited investor because we are an employee benefit plan within the meaning of ERISA which has total assets in excess of \$5,000,000. ....  
(Initial)

38. We hereby certify that we are an accredited investor because we are a plan established and maintained by a state, its political subdivisions, or any agency or instrumentality of a state or its political subdivisions, for the benefit of its employees, and we have total assets in excess of \$5,000,000. ....  
(Initial)

**For Individual Retirement Accounts and Keogh Plans**

39. We hereby certify that we are an accredited investor because we are a self-directed plan (i.e., a tax-qualified defined contribution plan in which a participant may exercise control over the investment of assets credited to his or her account) in which all of the participants are accredited investors because each participant has a net worth of at least \$1,000,000 (excluding the value of such participant's primary residence) or has had an individual income of at least \$200,000 (or a joint income with spouse of at least \$300,000) in each of the last two years (reasonably expecting to reach the same income level in the current year). *The Fund, in its sole and absolute discretion, may request information regarding the basis on which such participants are accredited.* ....  
(Initial)

**For Charitable Tax-Exempt Entities**

40. We hereby certify that we are an accredited investor because we are an organisation described in Section 501(c)(3) of the Code, were not formed for the specific purpose of acquiring the securities offered, and have total assets in excess of \$5,000,000. ....  
(Initial)

**For Trusts**

41. We hereby certify that we are an accredited investor because we are an irrevocable trust which consists of a single trust with total assets in excess of \$5,000,000, we were not formed for the specific purpose of acquiring the securities offered, and purchases are directed by a sophisticated person. *As used in the foregoing sentence, a "sophisticated person" is one who has such knowledge and experience in financial and business matters that s/he is capable of evaluating the merits and risks of the prospective investment.* ....  
(Initial)



42. We hereby certify that we are an accredited investor because we are (i) a bank as defined in Section 3(a)(2) of the 1933 Act, a savings and loan association, or another institution as defined in Section 3(a)(5)(A) of the 1933 Act, (ii) acting in a fiduciary capacity and (iii) subscribing for the purchase of the securities being offered on behalf of a trust account or accounts. ....  
*(Initial)*

43. We hereby certify that we are an accredited investor because we are a revocable trust which may be amended or revoked at any time by the grantors thereof and all of the grantors are accredited investors. *The Fund, in its sole and absolute discretion, may request information regarding the basis on which such equity owners are accredited.* ....  
*(Initial)*

**For Banks, Savings and Loans and Similar Institutions**

44. We hereby certify that we are an accredited investor because we are a bank as defined in Section 3(a)(2) of the 1933 Act, or savings and loan association or other institution as defined in section 3(a)(5)(A) of the 1933 Act acting on our own behalf. ....  
*(Initial)*

**For Insurance Companies**

45. We hereby certify that we are an accredited investor because we are an insurance company as defined in Section 2(13) of the 1933 Act. ....  
*(Initial)*

**Qualified Purchaser Status**

*Please initial all appropriate spaces, indicating the basis upon which you qualify as a qualified purchaser under the 1940 Act.*

46. I/We certify that:

(i) **Individuals**

I am a qualified purchaser because I (alone, or together with my spouse, if investing jointly) own not less than \$5,000,000 in investments<sup>10</sup>. ....  
*(Initial)*

<sup>10</sup> The term “investments” means any or all (1) securities (as defined in the 1933 Act), except for securities of issuers controlled by the investor (“Control Securities”) unless the (A) issuer of the Control Securities is itself a registered or private investment company or is exempted from the definition of investment company by Rule 3a-6 or Rule 3a-7 under the 1940 Act, (B) the Control Securities represent securities of an issuer that files reports pursuant to Section 13 or 15(d) of the US Securities Exchange Act of 1934, as amended, (C) the issuer of the Control Securities has a class of securities listed on a designated offshore securities market under Regulation S under the 1933 Act or (D) the issuer of the Control Securities is a private company with shareholders’ equity not less than \$50 million determined in accordance with generally accepted accounting principles, as reflected in the company’s most recent financial statements (provided such financial statements were issued within 16 months of the date of the investor’s purchase of Shares); (2) future contracts or options thereon held for investment purposes; (3) physical commodities held for investment purposes; (4) swaps and other similar financial contracts entered into for investment purposes; (5) real estate held for investment purposes; and (6) cash and cash equivalents held for investment purposes.

Note: In determining whether the \$5 million (see (i) above and (ii) below) or \$25 million (see (iv) below) thresholds are met, investments can be valued at cost or fair market value as of a recent date. If investments have been acquired with indebtedness, the amount of the indebtedness must be deducting in determining whether the threshold has been met.

(ii) **“Family” Corporations (including Charitable Corporations), Foundations, Section 501(c)(3) Organisations, Partnerships, Trusts, Limited Liability Companies or other “Family” Entities**

- (a) We were not formed for the specific purpose of investing in the Fund; .....  
*(Initial)*
- (b) We own not less than \$5,000,000 in investments (as described above); and .....  
*(Initial)*
- (c) We are owned directly or indirectly by or for (or in the case of a charitable corporation that has had assets contributed to it by) (i) two or more natural persons who are related as siblings or spouse (including former spouses), or direct lineal descendants by birth or adoption, (ii) spouses of such person, (iii) the estates of such persons or (iv) foundations, Section 501(c)(3) organisations or trusts established by or for the benefit of such persons. ....  
*(Initial)*

(iii) **Trusts and Charitable Corporations (Other Than Trusts that Qualify under (ii) or (iv) hereof)**

- (a) We were not formed for the specific purpose of investing in the Fund; and .....  
*(Initial)*
- (b) Each trustee (or other authorised person) that is authorised and required to make decisions with respect to this investment is a person described in (i), (ii), or (iv) at the time the decision to purchase Shares is made, and each settlor or other person who has contributed assets to the trust or entity is a person described in (i), (ii), or (iv) at any time such person contributed assets to the trust or entity. ....  
*(Initial)*

(iv) **Other Entities**

- (a) We were not formed for the specific purposes of investing in the Fund; .....  
*(Initial)*
- (b) We will not have more than 40% of our net assets invested in the Fund; and .....  
*(Initial)*
- (c) We are an entity acting for its own account or the accounts of other qualified purchasers, which in the aggregate owns and invests on a discretionary basis not less than \$25,000,000 in investments (as defined above). ....  
*(Initial)*

(v) **Entities that do not qualify under (ii)-(iv)**

We are a qualified purchaser because each beneficial owner of our securities is a qualified purchaser as described in this section<sup>11</sup>. .....

(Initial)

<sup>11</sup> This certification does not apply to beneficiaries of an irrevocable trust.

(vi) **All Investors that are Entities**

(a) We are not an entity that is excepted from the definition of an "investment company" under the 1940 Act pursuant to Section 3(c)(1) or 3(c)(7) thereof (a "Section 3(c)(1) or 3(c)(7) ICAV"); or .....

(Initial)

(b) We are a Section 3(c)(1) or 3(c)(7) ICAV but do not have ANY direct "beneficial owners" that have held an interest in us on or before April 30, 1996 (a "Pre-April 30 Holder"); or .....

(Initial)

(c) We are a Section 3(c)(1) or 3(c)(7) ICAV and have obtained consent to our treatment as a qualified purchaser from all of our Pre-April 30 Holders. ....

(Initial)

(vii) **Investors that checked (ii) or (iii) may check (vii) instead of (vi)**

We have obtained consent to our treatment as a qualified purchaser from all of our trustees, directors or general partners. ....

(Initial)

(viii) **Investors that checked (vi)(b) or (vi)(c) must also respond YES or NO to (viii)**

Is any direct or indirect beneficial owner of the investor itself a Section 3(c)(1) or 3(c)(7) ICAV that controls, is controlled by, or is under common control with the investor? .....

If the investor cannot answer NO to (viii) because it has a control relationship with a beneficial owner that is itself a Section 3(c)(1) or 3(c)(7) ICAV, the investor may be required to obtain consent from the security-holders of such owner.

The Administrator may request from the applicant such additional information to enable the Administrator to determine the applicant's compliance with applicable regulatory requirements or the applicant's anti-money laundering verification status and the applicant shall provide to the Administrator from time to time such information and/or documentation as may reasonably be requested. Each person acquiring Shares in the Fund must satisfy the foregoing both at the time of subscription and at all times thereafter until such person ceases to be a Shareholder. Accordingly, the applicant agrees to notify the Fund and/or the Administrator promptly in writing if there is any change with respect to any of the foregoing information, declarations or representations and to provide the Administrator with such further information and documentation

as the Administrator may reasonably require.

D. “FATCA” and similar measures

Without prejudice to the generality of any other provisions of this Application Form:

I/We acknowledge that certain obligations are or may be imposed on the ICAV (including, for the purposes of this section, the Fund) by Relevant Law. I/We further acknowledge that the ICAV has the authority to enter into and comply with any agreement that it may be necessary or desirable to enter into in connection with Relevant Law or otherwise comply with any Relevant Law.

I/We acknowledge that the ICAV or its Directors and Agents from time to time may be required to disclose details of my/our shareholding and, if and to the extent required, the direct or indirect beneficial owners of my/our Shares (if any) and any information and documentation provided by me/us, to any taxation authority, government agency or other person pursuant to Relevant Law.

I/We agree to provide on request in a timely manner, and consent to the use and disclosure of, any information or documentation in relation to myself/ourselves and, if and to the extent required, the direct or indirect beneficial owner(s) of my/our Shares (if any), as may be necessary or desirable for the ICAV or its Agents from time to time to comply with any reporting or other obligations and/or prevent the withholding of tax under Relevant Law. I/We shall have no claim against the ICAV or its Directors or Agents from time to time for any losses, liabilities, costs or expenses suffered by me/us (including in relation to the direct or indirect beneficial owners of my/our Shares (if any)) as a result of the use or disclosure of such information or documentation. I/We also undertake to notify the ICAV or its Agents from time to time of any change to, update and/or replace forthwith, such information and documentation which may be relevant for the purposes of Relevant Law.

The information and documentation that I/we agree to provide in relation to myself/ourselves and, if and to the extent required, the direct or indirect beneficial owner(s) of my/our Shares (if any), includes, but is not limited to, information and/or passport(s), properly executed forms (including, without limitation, US IRS Form W-8BEN, W-8BEN-E, W8-IMY, W-8ECI, W-8EXP or W-9 (as appropriate)), certificates, or other documentation relating to or establishing such person’s identity, jurisdiction of residence (or formation) and income tax status.

To the extent permitted by law, I/we agree to waive any provision of any data protection, privacy, banking secrecy or other law or regulation of any jurisdiction and/or the terms of any confidentiality agreement, arrangement or understanding that would otherwise prevent the ICAV’s compliance with any Relevant Law, including, but not limited to, my/our provision of any requested information and/or documentation.

I/We acknowledge that the ICAV and and/or its Directors and/or relevant Agents shall be entitled to determine, in their sole discretion, whether and how to comply with Relevant Law. Any such determinations shall include, but not be limited to, an assessment of the information and documents that are required to be disclosed to any tax authority, government agency or other person to comply with Relevant Law. I/We acknowledge and agree that I/we shall have no claim against the ICAV or its Directors and Agents for any losses, liabilities, costs or expenses suffered by me/us (including in relation to the direct or indirect beneficial owners of my/our Shares (if any)) that are attributable to any determinations related to compliance or actions taken to comply with Relevant Law.

I/We acknowledge that if I/we provide information and documentation that is in any way misleading, or fail to provide the ICAV (and/or its Agents) with the requested information

and documentation necessary in either case to satisfy the ICAV's obligations under Relevant Law, the ICAV reserves the right (whether or not such action or inaction leads to compliance failures by the ICAV, or a risk of the ICAV or its investors being subject to withholding tax or other penalties under Relevant Law): (i) to take any action and/or pursue all remedies at its disposal including, without limitation, compulsory redemption or withdrawal; and (ii) to hold back from any redemption proceeds, or to deduct from my/our applicable Net Asset Value, any liabilities, costs, expenses or taxes caused (directly or indirectly) by my/our action or inaction.

I/We agree to indemnify and hold harmless the ICAV and its Agents in cleared funds promptly on demand in connection with any omission (including without limitation any failure to provide any or all requested information and documentation and/or the provision of inaccurate, incomplete or misleading information and documentation) or action taken by me/us, or any related person, to the extent that any deductions made from any redemption proceeds, dividends and/or other distributions relating to my/our Shares is insufficient to indemnify the ICAV or its Directors and Agents against any losses, liabilities, costs (including, without limitation, compliance costs) or expenses provided for under or otherwise arising in connection with Relevant Law. This indemnification provision (which forms part of my/our subscription contract with the ICAV) shall survive the termination of my/our subscription contract and shall continue to operate upon my/our ceasing to hold any Shares in the ICAV.

In this section, "Relevant Law" means any existing or future legislation enacted by any jurisdiction that provides for the exchange of information (including, without limitation, under the OECD Common Reporting Standard ("CRS") and under Sections 1471 to 1474 of the US Internal Revenue Code of 1986, commonly known as "FATCA", and any regulations made thereunder or associated therewith or any other jurisdiction's legislation which is similar in effect to "FATCA" and "CRS"), any official interpretations or guidance thereof, or any law or regulations implementing an intergovernmental approach thereto, or any agreements made pursuant to the implementation of the foregoing, in each case as enacted, made, amended or replaced from time to time.

In this section, "Agent" means an agent acting from time to time on behalf of the ICAV, including, without limitation, the Investment Manager, the Administrator, the depositary and other service providers and their affiliates and the partners, officers, directors, members, managers, employees, agents and shareholders of the foregoing.

E. Additional Declarations

47. In order for the Fund to confirm the eligibility of a Benefit Plan Investor to invest in the Fund and for the Fund and ICAV to accurately monitor each of their Benefit Plan Investor participation, please review the following definition and make the appropriate representations by ticking all applicable boxes following the definition. A "Benefit Plan Investor" is (i) any employee benefit plan subject to the fiduciary responsibility provisions of Title I of ERISA, (ii) any individual retirement plan or account subject to the prohibited transaction rules of Section 4975 of the Code or (iii) any entity whose underlying assets include "plan assets" (as defined by Section 3(42) of ERISA and the regulations thereunder) by reason of a plan's investment in the entity.

I/we represent that:

*(Please tick all applicable boxes)*

(A)  I/We am/are not a Benefit Plan Investor

OR

(B)  I/We am/are not a Benefit Plan Investor and I/we am/are a “governmental plan” as defined by Section 3(32) of ERISA or a non-electing “church plan” within the meaning of Section 3(33) of ERISA;

OR

(C)  I/We am/are not a Benefit Plan Investor and I/We am/are a Controlled Person. A Controlled Person is excluded from the Fund's 25% ERISA calculation and is (i) any person (including an entity) with investment authority or responsibility over the Fund's assets or (ii) any person controlling, controlled by or under common control with a person described in (i).

OR

(D)  I/We am/are a Benefit Plan Investor that is:

(1)  an employee benefit plan subject to Part 4 of Title I of ERISA (e.g. U.S. corporate pension and profit-sharing plans, “Multiemployer Plans” and “Taft-Hartley Plans”); (ii) does not permit plan participants to direct the investment into the Partnership; and (iii)\*\* the fiduciary directing the investment in the Fund has more than \$50 million in assets under its management or control and/or is, or is advised by, a bank, insurance company, registered investment adviser or registered broker-dealer.

(2)  subject to Part 4 of Title I of ERISA; (ii) is a “self-directed” plan (e.g., a 401(k) plan); and (iii)\*\* the investment in the Partnership is directed by or based on advice from a bank, insurance company, registered investment adviser or registered broker-dealer;

(3)\*  an individual retirement account (an “IRA”), Keogh plan and/or other plan subject to Section 4975 of the Code but not subject to Title I of ERISA; and (ii)\*\* the investment in the Fund is directed or based on advice from a bank, insurance company, registered investment adviser or registered broker-dealer;

(\* If box 2 or 3 is checked, the “Additional Representations with Respect to Investment from an IRA or Self-Directed Plan” form at the end of this Share Application Form must be completed.)

(4)  (i) an entity (e.g. a fund of funds) whose underlying assets include “plan assets”. and (ii)\*\* whose investment manager is a bank, insurance company or registered investment adviser or has more than \$50 million in assets under its management or control. I/We also represent that the percentage of my/our “plan assets” compared to the total value of my/our assets is not more than (please tick an applicable box):

- |                          |       |                          |       |                          |     |
|--------------------------|-------|--------------------------|-------|--------------------------|-----|
| <input type="checkbox"/> | 10% * | <input type="checkbox"/> | 20% * | <input type="checkbox"/> | 30% |
| <input type="checkbox"/> | 40%   | <input type="checkbox"/> | 50%   | <input type="checkbox"/> | 60% |
| <input type="checkbox"/> | 70%   | <input type="checkbox"/> | 80%   | <input type="checkbox"/> | 90% |
| <input type="checkbox"/> | 100%; |                          |       |                          |     |

(\* applicable to entities with multiple classes, one of which exceeds the 25% threshold for Benefit Plan Investors);

(5)  an insurance company general account (or is investing general account assets under the U.S. Department of Labor Advisory Opinion Letter 2005-19A). I/We also represent that the percentage of the underlying assets of the general account that are deemed to be “plan assets” is not more than:

- 10% \*  20% \*  30%
- 40%  50%  60%
- 70%  80%  90%
- 100%;

(6)  a group trust, a bank common or collective trust or an insurance company separate account.

(\*\* These representations are not required to be made by investors prior to the applicability date of the DOL’s “Fiduciary Advice” regulation (currently, April 10, 2017).)

I/We further agree (i) to notify the Investment Manager not less than 30 days prior to this representation (or any part thereof) being no longer true or likely to become untrue and (ii) to provide the Investment Manager upon request such information as may be required to confirm and/or refine the representations provided above.

Any applicant that is investing the assets of a benefit plan or account and the person executing this Application Form or the “Additional Representation with Respect to Investment from an IRA or Self-Directed Pension Plan or by a Directed Trustee” acknowledge that it is intended that the Fund will not hold “plan assets” subject to Title I of ERISA or Section 4975 of the Code (i.e., less than 25% of each class of the Fund’s equity interests will be held by Benefit Plan Investors), or any other law or regulation specifically applicable to governmental, church or non-U.S. plans (“Similar Law”). Accordingly, the Applicant acknowledges that the Fund, BG Umbrella Fund Plc and the Master Fund have the authority to require the retirement or redemption of all or some of the Shares held by any Benefit Plan Investor or other plan investor if the continued holding of such Shares could result in the Fund, BG Umbrella Fund Plc or the Master Fund being subject to Title I of ERISA, Section 4975 of the Code or Similar Law. Further, the Applicant and the person executing this Agreement or the “Additional Representation with Respect to Investment from an IRA or Self-Directed Pension Plan or by a Directed Trustee” represent and warrant to the Fund and the Investment Manager that:

(a) with respect to the investment in the Fund (and thereby in BG Umbrella Fund Plc and the Master Fund), it has been determined that the purchase of Shares is consistent with the fiduciary responsibilities under applicable law, including ERISA, the Code and Similar Law, and that (i) the investment in the Fund (and thereby BG Umbrella Fund Plc and the Master Fund) is prudent and either is not a prohibited transaction or is an exempt prohibited transaction; (ii) that all fees and other compensation or benefits, direct or indirect, described in the Instrument of incorporation are reasonable; and (iii) the investment and investment program described in the Prospectus are permitted under the laws, rules and documents governing the applicant; and (vii) with respect to any plans maintained by governmental entities, churches and non-U.S. companies, that their investment will not subject the Fund’s assets to Similar Law;

(b) \*If the Applicant is subject to Title I of ERISA or Section 4975 of the Code, decisions regarding its investment in the Fund are directed by or based upon advice from a fiduciary that is:

- (i) independent of the Fund, the Investment Adviser or any of their affiliates;
  - (ii)\* (A) a bank as defined in Section 202 of the Advisers Act or similar institution that is regulated and supervised and subject to periodic examination by a State or Federal agency;
  - (B) an insurance carrier that is qualified under the laws of more than one state to perform the services of managing, acquiring or disposing of plan assets;
  - (C) an investment adviser registered under the Advisers Act (or, if not so registered by reason of paragraph (1) of Section 203A of the Advisers Act, is registered as an investment adviser under the laws of the State (referred to in such paragraph (1)) in which it maintains its principal office and place of business);
  - (D) a broker-dealer registered under the Securities Exchange Act of 1934; or
  - (E) holding, managing or controlling total assets of at least \$50 million, provided the New Limited Partner is not an IRA nor a self-directed plan;
  - (iii) capable of evaluating investment risks generally and with regard to the investment in the partnership; and
  - (iv) qualified and authorized to exercise independent judgment in evaluating an investment in the Fund (and thereby in BG Umbrella Fund Plc and the Master Fund) and, in this regard, has reviewed the structure, operation and incentives of the fee arrangements as disclosed in the Summary and Prospectus and, to the extent the fiduciary deemed necessary, has consulted its own investment advisors and legal counsel regarding investment in the Fund;
- (\* These representations are not required to be made by investors prior to the applicability date of the DOL's "Fiduciary Advice" regulation (currently, April 10, 2017).)

(c) the investment adviser agrees to deliver to the Applicant information regarding the Master Fund's holdings, as of any quarter end, of any "employer securities" which the Applicant may request in order to comply with Section 407 of ERISA.

48. I/We have such knowledge and experience in financial and business matters that I/we am/are capable of evaluating the merits and risks of my/our investment in the Shares and am/are able to bear such risks, and have obtained, in my/our judgement, sufficient information from the Fund or its authorised representatives to evaluate the merits and risks of such investment. I/We have evaluated the risks of investing in the Shares and have determined that the Shares are a suitable investment for me/us. I/We have not utilised any other person as a purchaser representative in connection with evaluating such merits and risks. I/We can afford a complete loss of the investment in the Shares, can afford to hold the investment in the Shares for an indefinite period of time, and acknowledge that distributions, including, without limitation, the proceeds of redemptions, may be paid in cash or in kind.
49. I/We am/are not purchasing Shares (i) as a result of or subsequent to becoming aware of any advertisement, article, notice or other communication published in any newspaper, magazine or similar medium or broadcast over television or radio; (ii) as a result of or subsequent to attendance at a seminar or meeting called by any of the means set forth in (i); or (iii) as a result of or subsequent to any solicitation by a person not previously known to me/us in connection with investments in securities generally.
50. I/We understand that no certificates will be issued by the Fund in respect of any Shares.



51. I/We understand that the Shares have not been and will not be registered under the 1933 Act or under the securities laws of any State or other jurisdiction within the United States, that the Shares are being sold to me/us in a transaction that is exempt from the registration requirements of the 1933 Act and State and other securities laws. I/We will not resell, reoffer or transfer any Shares or any interest therein, except with the consent of the Fund, to any of the following persons: (a) a US Person; (b) a corporation which is not a US Person in which US Persons hold 10% or more of either voting power or value; (c) a partnership which is not a US Person in which a US Person is a partner, or (d) a trust which is not a US Person whose grantor or any of its beneficiaries is a US Person. I/We acknowledge that reoffers, resales or any transfer of the Shares may be made only in compliance with applicable securities laws and only with the prior authorisation of the Fund which may, in its discretion, decline to issue any Shares to, or register Shares in the name of, any person, and I/we will not transfer any Shares except on the books of the Fund.

“United States” means the United States of America (including the States and District of Columbia) and any of its territories, possessions and other areas subject to its jurisdiction.

A “US Person” is any person falling within the definition of the term “United States Person” under Regulation S promulgated under the 1933 Act and any person other than a Non-United States Person.

A “Non-United States Person” is any person who is (a) a natural person who is not a resident of the United States, (b) a partnership, corporation or other entity, other than an entity organised principally for passive investment, organised under the laws of a non-US jurisdiction and which has its principal place of business in a non-US jurisdiction, (c) an estate or trust, the income of which is not subject to United States income tax regardless of source, (d) an entity organised principally for passive investment such as a pool, investment company or other similar entity, provided that units of participation in the entity held by persons who do not qualify as Non-United States Persons or otherwise as qualified eligible persons represent in the aggregate less than 10 per cent of the beneficial interest in the entity and that such entity was not formed principally for the purpose of facilitating investment by persons which do not qualify as Non-United States Persons in a commodity pool with respect to which the commodity pool operator is exempt from certain requirements of Part 4 of the CFTC’s regulations by virtue of its participants being Non-United States Persons, or (e) a pension plan for employees, officers or principals of an entity organised and with its principal place of business outside the United States.

52. I/We agree to execute properly and provide to the Fund in a timely manner any documentation or other information regarding me/us that the Fund or its agents may request in writing from time to time in connection with the Fund’s and its affiliates’ obligations under, and compliance with, applicable laws and regulations, including without limitation, applicable tax and securities laws of the United States or any other relevant jurisdiction (these include but are not limited to: the 1933 Act, the 1940 Act, the U.S. Investment Advisers Act of 1940, as amended, the United States Commodity Exchange Act, as amended, and the Code). By executing this Application Form, I/we waive any provision under the laws and regulations of any U.S. or non-U.S. jurisdiction that would, absent a waiver, prevent or inhibit the Fund’s compliance with applicable law as described in this paragraph, including but not limited to by preventing either (i) me/us from providing any requested information or documentation, or (ii) the disclosure by the Fund and its agents of the provided information or documentation to applicable regulatory authorities. In particular, but without limitation, I/we agree to provide any documentation or other information regarding me/us and my/our beneficial owners requested by the Fund or its agents in connection with (i) the disqualification provisions under Rule 506(d) of Regulation D under the 1933 Act, which may prohibit the Fund from relying on the Rule 506 offering exemption if one or more of its significant equity holders has had a disqualifying event as described in Rule 506(d); (ii) the United States Foreign Account Tax Compliance Act provisions enacted under the United States Hiring Incentives to Restore Employment Act (“FATCA”), and any guidance, or Treasury Regulations relating thereto and published from time to time as well as any legislation, rules or practices adopted pursuant to any applicable intergovernmental agreement entered into in connection with the implementation of FATCA; and (iii) the Standard for Automatic Exchange of Financial Account Information approved on 15 July 2014 by the Council of the Organisation for

Economic Cooperation and Development, also known as the Common Reporting Standard ("CRS"), and any bilateral or multilateral competent authority agreements, intergovernmental agreements and treaties, laws, regulations, official guidance or other instrument facilitating the implementation thereof and any law implementing CRS.

53. I/We represent and warrant that no person who is a beneficial owner\* of the my/our Shares is also a beneficial owner of another shareholder's Shares of the Fund, except for the shareholders of the Fund identified below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

54. I/We understand that the Fund will not register as an investment company under the 1940 Act, and that for purposes of the provisions of Section 3(c)(7) thereof, does not presently propose to make a public offering of its securities within the United States. I/We hereby certify that:

- (A) I/we am/are holding Shares for my/our own account and not for the account of any other person;
- (B) *(corporate shareholders only)* we were not formed for the purpose of investing in the Fund and do not invest more than 40 per cent of our total assets in the Fund;
- (C) *(corporate shareholders only)* we were not formed for the purpose of investing in the Fund nor did or will our shareholders, partners or grantor, as the case may be, contribute additional capital for the purpose of purchasing the Shares; and
- (D) *(corporate shareholders only)* our shareholders, partners, beneficiaries or members are not permitted to opt in or out of particular investments made by us, and each such person participates in all investments made by us pro rata in accordance with its interest in us.

55. I/We understand that the Fund will not be registered under the 1940 Act, and that for purposes of the provisions of Section 3(c)(7) thereof, does not presently propose to make a public offering of its securities within the United States.

56. I/We acknowledge that the Fund will be relying upon the information provided by me/us in the questionnaire included in Schedule 9 in order to determine the extent to which I/we may participate in "new issue" securities in accordance with the applicable rules of the Financial Industry Regulatory Authority, Inc. (FINRA). I/We agree to notify the Fund when any representation made in the questionnaire is no longer accurate.

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\* For purposes of this paragraph, a "beneficial owner" is any person within the meaning of Rule 13d-3 under the United States Securities Exchange Act of 1934, as amended ("Rule 13d-3"), and the related rules and interpretations thereunder. In general, a "beneficial owner" of a security under Rule 13d-3 is a person who directly or indirectly, through any contract, arrangement, understanding, relationship or otherwise has or shares (i) voting power which includes the power to vote, or to direct the voting of, such security; and/or (ii) investment power which includes the power to dispose, or to direct the disposition of, such security. In making this representation and warranty, an applicant should review the full Rule 13d-3 definition of a "beneficial owner", attached hereto as Schedule 5. The Rule 13d-3 definition includes direct and indirect voting and investment power over an interest and Shares of the Fund may be beneficially owned by multiple persons.

57. Our obligations under this application shall be governed by and construed in accordance with Irish law, to the extent not inconsistent with United States federal and state securities laws, and I/we irrevocably submit to the exclusive jurisdiction of the Irish courts and waive any objection to proceedings in such courts on the grounds of venue or on the grounds that such proceedings have been brought in an inappropriate forum.

\_\_\_\_\_ Type of Applicant- Please check one:

Name of Applicant

(Please Print or type)

Tax ID Number \_\_\_\_\_

\_\_\_\_\_  
Name of Person exercising  
investment discretion for subscriber  
(trustee or fiduciary, etc.)

- \_\_\_\_\_ Individual
- \_\_\_\_\_ Partnership
- \_\_\_\_\_ Corporation
- \_\_\_\_\_ Trust
- \_\_\_\_\_ Foundation
- \_\_\_\_\_ Endowment
- \_\_\_\_\_ Employee Benefit Plan
- \_\_\_\_\_ Individual Retirement Plan
  
- \_\_\_\_\_ Tenants in Common
- \_\_\_\_\_ Joint Tenants
- \_\_\_\_\_ Other - Specify: \_\_\_\_\_

Please indicate the basis on which you are a US Tax-Exempt Investor (and attach to this Application Form written evidence of such tax-exempt status)

58. Form PF Information Certification

**TO BE COMPLETED BY ALL SUBSCRIBERS – FOR FORM PF PURPOSES**

**Please check all of the boxes that describe the beneficial owner(s) of the Shares to which this application form relates.**

- Individuals that are United States persons (including personal trusts)
- Individuals that are not United States persons (including personal trusts)
- Broker-dealers
- Insurance companies
- Investment companies registered with the United States Securities and Exchange Commission
- Private Funds<sup>2</sup>

If you check this box, please answer the following two questions:

<sup>2</sup> For purposes of this section, the term "Private Fund" means any issuer that would be an investment company as defined in Section 3 of the 1940 Act but for Section 3(c)(1) or 3(c)(7) of the 1940 Act.

Do you invest 10% or more in other pooled investment vehicles?

Yes

No

Are you a fund of funds?

Yes

No

Non-profits

Pension plan (excluding governmental pension plans)

Banking or thrift institutions (proprietary)<sup>3</sup>

State or municipal Government Entities<sup>4</sup> (excluding governmental pension plans)

State or municipal<sup>5</sup> governmental pension plans

Sovereign wealth funds or foreign<sup>6</sup> official institutions

Entities that are beneficially owned by a person or entity described in any of the above categories.

If you check this box, please indicate which category above best describes the beneficial owner(s) (with applicable percentages if beneficially owned by multiple categories).

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Investors that are not U.S. Persons<sup>7</sup> and for which no beneficial ownership information is known

Other

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<sup>3</sup> Banking or Financial Institutions.

<sup>4</sup> For purposes of this Section, the term "Government Entity" means any U.S. state (including any U.S. state, the District of Columbia, Puerto Rico, the U.S. Virgin Islands or any other possession of the United States) or political subdivision of a state, including:

(i) any agency, authority or instrumentality of the state or political subdivision;

(ii) a plan or pool of assets controlled by the state or political subdivision or any agency, authority or instrumentality thereof; and

(iii) any officer, agent, or employee of the state or political subdivision or any agency, authority or instrumentality thereof, acting in their official capacity.

<sup>5</sup> i.e., provincial, federal union state, regional or town.

<sup>6</sup> i.e., non-U.S.

<sup>7</sup> See Appendix 5 attached hereto for the definition of "U.S. Person".

## UNITED STATES TAX CONSIDERATIONS

### **General**

The following is a general discussion of certain of the anticipated income tax considerations relevant to US investors arising from the purchase, ownership and disposition of Shares. The following discussion does not address the tax consequences relevant to any non-US persons. Prospective investors should consult their own tax advisors to determine the application and effect of tax laws with respect to their own particular circumstances. This discussion is based on laws and regulations currently in effect, which may change or be subject to differing interpretations (possibly on a retroactive basis).

For purposes of this discussion, a “US Taxable Investor” means a US person that is not a US Tax-Exempt Investor, and a “US Tax-Exempt Investor” means a US person that is generally exempt from US federal income taxation under the US Internal Revenue Code of 1986, as amended (the “Code”). For these purposes, a US person is (a) a citizen or resident of the United States, (b) a corporation or other entity treated as a corporation organized in or under the laws of the United States or any state thereof, (c) an estate if the income of such estate is subject to US federal income taxation without regard to its source or (d) a trust if (i) such trust is subject to the supervision of a court in the United States and one or more US persons has the right to control all substantial decisions of the trust or (ii) such trust has made a valid election to be treated as a domestic trust under applicable US Treasury Regulations.

In view of the number of different jurisdictions where local laws may apply to shareholders, the discussion below does not address the local tax consequences to potential investors of the purchase, ownership and disposition of Shares. Prospective investors are urged to consult their own tax advisors in determining the tax consequences of an investment in the Fund, including the possible tax, exchange control or other consequences to them under the laws of the jurisdictions of which they are residents and in which they conduct business.

### **US Tax Classification of the Fund**

The ICAV intends to treat each of its funds as a separate corporation for US federal income tax purposes. However, since the law is unclear as to whether an Irish umbrella fund should be treated as a single entity or multiple entities for US federal income tax purposes, there can be no assurance that the US Internal Revenue Service (the “IRS”) will accept the ICAV’s tax treatment of the funds as separate corporations.

The Fund will be treated as a corporation for US federal income tax purposes. The Fund will be classified as a “passive foreign investment company” (“PFIC”) as defined in Code Section 1297.

### **US Tax-Exempt Shareholders**

Assuming a US Tax Exempt Person does not borrow money or otherwise utilize leverage to purchase its Shares, the US Tax Exempt Person generally should not realize “unrelated debt financed income” as defined in Code Section 514 or “unrelated business taxable income” as defined in Code Section 512 with respect to its investment in the Fund and generally should not be subject to US federal income tax under the PFIC provisions of the Code with respect to its investment in the Fund.

### **US Taxable Shareholders**

US Taxable Persons should be aware of certain tax consequences of investing directly or indirectly in the Fund. As noted above, the Fund will be treated as a PFIC as defined in Code Section 1297. A US Taxable Person is subject to different rules depending on whether the US Taxable Person makes an election to treat the Fund as a “qualified electing fund” (a “QEF

election”) for the first taxable year that the US Taxable Person holds Shares (a “timely QEF election”).

If a US Taxable Person makes a timely QEF election, the US Taxable Person must report each year for US federal income tax purposes his pro rata share of the Fund’s ordinary earnings and net capital gain, if any, for the year, but certain tax penalty provisions applicable to a non-electing shareholder will not apply. If a US Taxable Person does not make a timely QEF election, certain tax penalties may be applicable. These alternative sets of tax rules are discussed in more detail below.

A US Taxable Person who makes a timely QEF election (an “Electing Shareholder”) must report for US federal income tax purposes his pro rata share of the ordinary earnings and the net capital gain, if any, of the Fund for the taxable year of the Fund that ends with or within the taxable year of the Electing Shareholder. The “net capital gain” of the Fund is the excess, if any, of the Fund’s net long-term capital gains over its net short-term capital losses and is reported by the Electing Shareholder as long-term capital gain. Any net operating losses or net capital losses of the Fund will not pass through to the Electing Shareholder and will not offset any ordinary earnings or net capital gain of the Fund reportable to Electing Shareholders in subsequent years (although such losses would ultimately reduce the gain, or increase the loss, recognized by the Electing Shareholder on his disposition of his Shares).

A US Taxable Person makes a QEF election for a taxable year by completing and filing IRS Form 8621 in accordance with the instructions thereto. The Fund will furnish US Taxable Persons with information needed in order to complete IRS Form 8621.

As noted above, the ICAV intends to treat each of its funds as a separate corporation (and separate PFIC) for US federal income tax purposes, although no assurance is given that the IRS will agree with such treatment. If it were determined that the QEF computation should be made by treating all the funds of the ICAV as a single PFIC, (i) the amounts that an Electing Shareholder would be required to include in his taxable income may be greater than (or less than) the amounts that would be included in income if each fund of the ICAV were treated as a separate PFIC, and (ii) such amounts could include income of funds other than the Fund.

A US Taxable Person who does not make a timely QEF election (a “Non-Electing Shareholder”) will be subject to special rules with respect to (i) any “excess distribution” (generally, the portion of any distributions received by the Non-Electing Shareholder on the Shares in a taxable year in excess of 125% of the average annual distributions received by the Non-Electing Shareholder in the three preceding taxable years, or, if shorter, the Non-Electing Shareholder’s holding period for his Shares), and (ii) any gain realized on the sale or other disposition of such Shares. Under these rules, (i) the excess distribution or gain would be allocated ratably over the Non-Electing Shareholder’s holding period for the Shares; (ii) the amount allocated to the current taxable year would be taxed as ordinary income; and (iii) the amount allocated to each of the other taxable years would be subject to tax at the highest rate of tax in effect for the applicable class of taxpayer for that year, and an interest charge for the deemed deferral benefit would be imposed with respect to the resulting tax attributable to each such other taxable year. If a Non-Electing Shareholder who is an individual dies while owning Shares, the Non-Electing Shareholder’s successor would be ineligible to receive a step-up in tax basis of the Shares.

The Fund may invest in companies that are PFICs. US Taxable Persons will be subject to the PFIC rules with respect to their indirect ownership interests in such PFICs. There can be no assurance that a US Taxable Person will be able to make a QEF election with respect to PFICs in which the Fund invests.

Special rules would apply if the Fund were considered to be a “controlled foreign corporation” (a “CFC”) as defined in Code Section 957. A foreign corporation is considered to be a CFC if, on any day during its taxable year, more than 50% of the total voting power or the total value of the

stock is owned, directly or indirectly, by “United States shareholders”. A “United States shareholder” is a United States person who owns, directly or indirectly, 10% or more of the total voting power of the stock of the foreign corporation. If the Fund were classified as a CFC, each US Taxable Person who owned, directly or indirectly, 10% or more of the Shares of the Fund would be required to include in his gross income, for his taxable year in which the taxable year of the Fund ends, his pro rata share of the Fund's income for such year. This income would be reported by the US Taxable Person as ordinary income even to the extent that it is attributable to long-term capital gains of the Fund. With respect to a US Taxable Person's direct interest in the Fund (as opposed to the US Taxable Person's indirect interests in other PFICs in which the Fund may invest), the PFIC rules will not apply to any portion of a US Taxable Person's holding period during which the shareholder is a “United States shareholder” and the Fund is a CFC.

### **Information Reporting Requirements**

Any US person owning 10% or more (taking certain attribution rules into account) of either the total combined voting power or total value of all classes of the shares of a foreign corporation such as the Fund will likely be required to file an information return with the IRS containing certain disclosure concerning the filing shareholder, other shareholders and the corporation. The Fund has not committed to provide all of the information about the ICAV or its Shareholders needed to complete the return. In addition, a US person that transfers cash to a foreign corporation such as the Fund will likely be required to report the transfer to the IRS if (i) immediately after the transfer, such person holds (directly, indirectly or by attribution) at least 10% of the total voting power or total value of such corporation or (ii) the amount of cash transferred by such person (or any related person) to such corporation during the twelve-month period ending on the date of the transfer exceeds \$100,000. Further, Shareholders may be required to file an information return with respect to an investment in the Fund pursuant to Code Section 6038D or Code Section 1298(f). Shareholders are urged to consult their own tax advisors concerning these and any other reporting requirements.

The IRS has released final Treasury Regulations expanding previously existing information reporting, record maintenance and investor list maintenance requirements with respect to certain “tax shelter” transactions (the “Tax Shelter Regulations”). The Tax Shelter Regulations may potentially apply to a broad range of investments that would not typically be viewed as tax shelter transactions, including investments in investment companies and portfolio investments of investment companies. Under the Tax Shelter Regulations, if the Fund engages in a “reportable transaction,” a Shareholder would be required, under certain circumstances, to (i) retain all records material to such “reportable transaction”; (ii) complete and file IRS Form 8886, “Reportable Transaction Disclosure Statement” as part of its US federal income tax return for each year it participates in the “reportable transaction”; and (iii) send a copy of such form to the IRS Office of Tax Shelter Analysis at the time the first such tax return is filed. The scope of the Tax Shelter Regulations may be affected by further IRS guidance. Non-compliance with the Tax Shelter Regulations may involve significant penalties and other consequences. Each Shareholder should consult its own tax advisors as to its obligations under the Tax Shelter Regulations.

### **Non-Confidentiality**

An investor (and each employee, representative, or other agent of the investor) may disclose to any and all persons, without limitation of any kind, the tax treatment and tax structure of an investment in the Fund and all materials of any kind (including opinions or other tax analyses) that are provided to the investor relating to such tax treatment and tax structure.

THE TAX MATTERS DESCRIBED IN THIS DOCUMENT DO NOT CONSTITUTE, AND SHOULD NOT BE CONSIDERED AS, LEGAL OR TAX ADVICE TO PROSPECTIVE SHAREHOLDERS.

## DECLARATION OF RESIDENCE OUTSIDE IRELAND

Applicants resident outside Ireland are required by the Irish Revenue Commissioners to make the following declaration (which is in a format authorised by them), in order to receive payment without deduction of tax. It is important to note that this declaration, if it is then still correct, shall apply in respect of any subsequent acquisitions of shares.

**PLEASE NOTE THAT THE BELOW DECLARATIONS MUST BE DELETED AS APPROPRIATE (BY DELETING 'I' OR 'WE' FOR EXAMPLE) OTHERWISE THIS DECLARATION IS INVALID.**

<b>DECLARATION ON OWN BEHALF</b> <i>*Delete as appropriate</i>
I/we* declare that I am/we are* applying for the Shares on my own/our own behalf/on behalf of a company* and that I am/we are/the company* is entitled to the Shares in respect of which this declaration is made and that: <ul style="list-style-type: none"><li>• I am/we are/the company is* not currently Resident or ordinarily resident in Ireland; and</li><li>• should I/we/the company* become Resident in Ireland I will/we will* so inform you, in writing, accordingly.</li></ul>
<b>DECLARATION AS INTERMEDIARY</b> <i>*Delete as appropriate</i>
I/we* declare that I am/we are* applying for Shares on behalf of persons: <ul style="list-style-type: none"><li>• who will be beneficially entitled to the Shares; and</li><li>• who, to the best of my/our* knowledge and belief, are neither Resident nor ordinarily resident in Ireland.</li></ul> I/we* also declare that: <ul style="list-style-type: none"><li>• unless I/we* specifically notify you to the contrary at the time of application, all applications for Shares made by me/us* from the date of this application will be made on behalf of such persons; and</li><li>• I/we* will inform you in writing if I/we* become aware that any person, on whose behalf I/we* holds Shares, becomes Resident in Ireland.</li></ul>

Name and address of applicant: \_\_\_\_\_

Signature of applicant or authorised signatory: \_\_\_\_\_ (declarant)

Capacity of authorised signatory (if applicable): \_\_\_\_\_ Date: \_\_\_\_\_

Joint applicants (In the case of joint holders, ALL holders must complete this declaration)

Names \_\_\_\_\_ Signatures \_\_\_\_\_

### IMPORTANT NOTES

1. Non-resident declarations are subject to inspection by the Irish Revenue Commissioners and it is a criminal offence to make a false declaration.
2. To be valid, the Application Form (incorporating the declaration required by the Irish Revenue Commissioners) must be signed by the applicant. Where there is more than one applicant, each person must sign. If the applicant is a company, it must be signed by the company secretary or another authorised officer.
3. If the Application Form (incorporating the declaration required by the Irish Revenue Commissioners) is signed under power of attorney, a copy of the power of attorney must be furnished in support of the signature.
4. If the applicant is an Exempt Irish Investor it should contact the Administrator who will provide it with the appropriate declaration which must be made to confirm its status.
5. Definitions of an "Intermediary" and the concepts of "Residence in Ireland" and "Ordinary Residence in Ireland" are set out overleaf.



## DEFINITIONS

### Intermediary

An “**Intermediary**” means a person who:

- carries on a business which consists of, or includes, the receipt of payments from an investment undertaking on behalf of other persons; or
- holds shares in an investment undertaking on behalf of other persons.

### Residence

#### “**Irish Resident**”

- in the case of an individual, means an individual who is resident in Ireland for tax purposes;
- in the case of a trust, means a trust that is resident in Ireland for tax purposes; and
- in the case of a company, means a company that is resident in Ireland for tax purposes.

An individual will be regarded as being resident in Ireland for a twelve month tax year<sup>8</sup> if he/she is present in Ireland: (1) for a period of at least 183<sup>9</sup> days in that twelve month tax year; or (2) for a period of at least 280<sup>10</sup> days in any two consecutive tax years, provided that the individual is resident in Ireland for at least 31<sup>11</sup> days in each twelve month period. In determining days present in Ireland, an individual is deemed to be present if he/she is in Ireland at any time during the day.

A trust will generally be Irish resident where the trustee is resident in Ireland or a majority of the trustees (if more than one) are resident in Ireland.

In respect of a company, prior to the Irish Finance Act 2014, residence was determined with regard to the long-established common law rules based on central management and control of the company. These rules were significantly revised in Finance Act 2014 to provide that a company incorporated in the State will be regarded as resident for tax purposes in the State unless it is treated as resident in a treaty partner country by virtue of a double taxation treaty. While the common law rule based on central management and control remains in place, it is subject to the statutory rule for determining company residence based on incorporation in the State set out in the revised section 23A TCA 1997.

The new incorporation rule for determining the tax residence of a company incorporated in the State will apply to companies incorporated on or after 1 January 2015. For companies incorporated in the State before this date, a transition period will apply until 31 December 2020.

#### “**Ordinarily Resident in Ireland**”

An individual will be regarded as ordinarily resident for a particular tax year if he/she has been Irish Resident for the three previous consecutive tax years (i.e. he/she becomes ordinarily resident with effect from the commencement of the fourth tax year). The term “ordinary residence” as distinct from “residence”, relates to a person’s normal pattern of life and denotes residence in a place with some degree of continuity. An individual will remain ordinarily resident in Ireland until he/she has been non-Irish Resident for three consecutive tax years. Thus, an individual who is resident and ordinarily resident in Ireland in the tax year 1 January 2009 to 31 December 2009 and departs from Ireland in that tax year will remain ordinarily resident up to the end of the tax year 1 January 2012 to 31 December 2012.

The concept of a trust’s ordinary residence is somewhat obscure and linked to its tax residence.

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<sup>8</sup> The Irish tax year was changed to a calendar basis with effect from 1 January 2002. A consequence of this change is that a short tax year applies from 6 April 2001 to 31 December 2001.

<sup>9</sup> 135 days for the tax year 6 April 2001 to 31 December 2001.

<sup>10</sup> 244 days in respect of the combined tax years, commencing on 6 April 2000 and 6 April 2001, and those commencing on 6 April 2001 and 1 January 2002.

<sup>11</sup> 22 days for the tax year 6 April 2001 to 31 December 2001.

**SIGNATURE AND DECLARATION**

I / We declare that the information contained in this Application Form and any attached documentation is true and accurate to the best of my/our knowledge and belief.

**In the case of joint holders, ALL holders must complete this declaration. If the applicant is an IRA or a self-directed pension plan or this Application Form is being executed by a directed trustee, the custodian or trustee of the applicant executes this Application Form and the fiduciary who directed the IRA's or pension plan's investment in the Fund is required to execute the representation on the next page.**

<b>Date:</b> _____	
<b>Signed:</b>	<b>Signatory Capacity if applicable (i.e. Director/manager)</b>
1. _____ _____	
2. _____ _____	
3. _____ _____	
4. _____ _____	

ADDITIONAL REPRESENTATION WITH RESPECT TO  
INVESTMENT FROM AN IRA OR SELF-DIRECTED PENSION PLAN OR  
BY A DIRECTED TRUSTEE

If the applicant is an IRA or a self-directed pension plan or this Application Form is being executed by a directed trustee, the individual who established the IRA or the person who directed the pension plan's investment in the Fund, as the case may be: (i) has directed the custodian or trustee of the applicant to execute this Application Form on the line set forth above; (ii) has exclusive authority with respect to the decision to invest in the Fund; and (iii) has signed below to indicate that he or she has reviewed, directed and certifies to the accuracy of the representation and warranties made by the applicant in subscribing for the Shares.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

Name and Address of Custodian/Trustee  
and Contact Individual:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Account or other Reference Number:

\_\_\_\_\_

Custodian's Tax I.D. Number:

## SCHEDULE 1: ADDITIONAL SUBSCRIPTION DOCUMENTATION

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### ADDITIONAL SUBSCRIPTION FORM

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BG Eire Fund  
c/o SS&C Financial Services (Ireland) Limited  
1st Floor, La Touche House  
International Financial Services Centre  
Dublin 1  
Ireland

Telephone: +1 646 827 2070  
Facsimile: +1 914 729 9523  
Email: [ISTradedesk@sscinc.com](mailto:ISTradedesk@sscinc.com)

Dear Sir/Madam:

The undersigned hereby wishes to make an additional subscription for Class A Euro Shares and GBP Class A Shares and ("Additional Subscription") in BG Eire Fund (the "Fund"). The amount of the Additional Subscription is:

\_\_\_\_\_.

The undersigned acknowledges and agrees: (i) that the undersigned is making the Additional Subscription on the terms and conditions contained in the application form , dated \_\_\_\_\_, 20\_\_, previously executed by the undersigned and accepted by the Fund (the "Application Form"); (ii) that the representations and covenants of the undersigned contained in the Application Form and the anti-money laundering supplement thereto are true and correct in all material respects as of the date set forth below; (iii) that the information provided in the Application Form is correct as of the date set forth below; and (iv) that the background information provided to the Administrator is true and correct in all material respects as of the date set forth below.

If the undersigned is a Benefit Plan Investor and the additional contribution is being made after the applicability date of the United States Department of Labor "fiduciary advice" regulation (currently, April 10, 2017), the representation below must also be completed in order for the Fund to confirm the eligibility of a Benefit Plan Investor to invest in the Fund. A "Benefit Plan Investor" is (i) any employee benefit plan subject to the fiduciary responsibility provisions of Title I of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), (ii) any individual retirement plan or account subject to the prohibited transaction rules of Section 4975 of the Internal Revenue Code of 1986, as amended (the "Code") or (iii) any entity whose underlying assets include "plan assets" (as defined by ERISA and the regulations thereunder) by reason of a plan's investment in the entity.

The undersigned represents and warrants that it is:

(i) Not an Individual Retirement Account (an "IRA"); (ii) does not permit plan participants to direct the investment into the Fund ("Participant-Directed"); and (iii) the fiduciary directing the additional contribution in the Fund has more than \$50 million in assets under its management or control and/or is, or is advised by, a bank, insurance company, registered investment adviser or registered broker-dealer.

(i) An IRA or a plan subject to ERISA or Section 4975 of the Code that permits plan participants to direct the investment into the Fund; and (ii) the additional contribution in the Fund is directed by or based on advice from a bank, insurance company, registered investment adviser or registered broker-dealer. If this second box is checked, the "Additional Representations with Respect to Investment from an IRA or Self-Directed Plan" form at the end of this Additional Subscription Agreement must also be completed.

THE UNDERSIGNED AGREES TO NOTIFY THE FUND PROMPTLY IN WRITING SHOULD THERE BE ANY CHANGE IN ANY OF THE FOREGOING INFORMATION.

Dated: \_\_\_\_\_, 20\_\_

INDIVIDUALS

ENTITIES

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name of Entity

\_\_\_\_\_  
Print Name

By: \_\_\_\_\_  
Authorised Signature

\_\_\_\_\_  
Additional Investor Signature

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Print Name

## SCHEDULE 2: REDEMPTION FORM

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### REQUEST FOR REDEMPTION OF SHARES

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Dated: \_\_\_\_\_, 20\_\_\_\_

BG Eire Fund  
c/o SS&C Financial Services (Ireland) Limited  
1st Floor, La Touche House  
International Financial Services Centre  
Dublin 1  
Ireland

Telephone: +1 646 827 2070  
Facsimile: +1 914 729 9523  
Email: [ISTradedesk@sscinc.com](mailto:ISTradedesk@sscinc.com)

Dear Sir/Madam:

The undersigned shareholder (the "Shareholder") of BG Eire Fund (the "Fund") hereby requests to redeem that portion of its shares (the "Shares") of the Fund as is indicated below:

*(tick one and insert number or "ALL", as applicable)*

\_\_\_\_\_ a portion of the Shareholder's outstanding Class A Euro Shares and GBP Class A Shares \*  
having a net asset value at the time of redemption of \_\_\_\_\_;  
or

\_\_\_\_\_ of the Shareholder's outstanding Class A Euro Shares  
and GBP Class A Shares \*

on the next available Dealing Day following receipt of this letter.

Shareholders should send a completed redemption request in the form available from the Fund to be received by the Administrator no later than 5.00 pm (Dublin time) on the first Business Day falling at least 60 calendar days before the relevant Dealing Day (or such lesser period as the Directors may in any particular case determine provided that it shall be before the Valuation Point) failing which the redemption request may be held over until the next Dealing Day following the expiry of such period. Shares will be redeemed at the Redemption Price applicable on the relevant Dealing Day.

Redemption requests may be sent by email, but redemption proceeds will not be remitted until the Administrator has received the original of the redemption request and only where payment is to be made to the account of record. Furthermore no redemption payments may be made until the original Application Form has been received from the investor and all documentation required by the Administrator (including any documents in connection with anti-money laundering procedures) and the anti-money laundering procedures have been completed.

A request for a partial redemption of Shares may be refused, or the holding redeemed in its entirety, if, as a result of such partial redemption, the Net Asset Value of the Shares retained by the Shareholder would be less than the Minimum Holding.

A redemption request, once given, is irrevocable save with the consent of the Directors (which consent may be withheld).

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\* Delete as appropriate.

The Shareholder represents and warrants that the Shareholder, and its signatory hereto, have the requisite power and authority to submit this redemption application on Its behalf, and hereby hold the Fund, the Directors and the Administrator harmless and indemnify the ICAV, the Fund, the Directors and the Administrator against any loss, liability, cost or expense (including without limitation legal fees, taxes and penalties) arising directly or indirectly out of any lack of authority in connection with the submission of this redemption application.

Please provide instructions for the account to which the cash proceeds of the redemption may be sent by wire transfer:

\_\_\_\_\_  
Beneficiary Bank

\_\_\_\_\_  
Beneficiary Bank Sort Code/ SWIFT Code

\_\_\_\_\_  
IBAN Code

\_\_\_\_\_  
Corresponding Bank

\_\_\_\_\_  
Corresponding Bank Sort Code/SWIFT Code/ABA Number

\_\_\_\_\_  
Account Number

\_\_\_\_\_  
Name Under Which Account Is Held

Signature(s) Guaranteed by:

\_\_\_\_\_

\_\_\_\_\_  
Signature of Shareholder

\_\_\_\_\_  
(Print name)

Mailing Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### SCHEDULE 3: EXCHANGE FORM

#### REQUEST FOR EXCHANGE OF SHARES

Dated: \_\_\_\_\_, 20\_\_\_\_

BG Eire Fund  
c/o SS&C Financial Services (Ireland) Limited  
1st Floor, La Touche House  
International Financial Services Centre  
Dublin 1  
Ireland

Telephone: +1 646 827 2070

Facsimile: +1 914 729 9523

Email: [ISTradedesk@sscinc.com](mailto:ISTradedesk@sscinc.com)

Dear Sir/Madam:

The undersigned shareholder (the "Shareholder") of BG Eire Fund(the "Fund") hereby requests to exchange that portion of its shares (the "Shares") of the Fund for other Shares as is indicated below:

(tick one and insert number or "ALL", as applicable)

\_\_\_\_\_ a portion of the Shareholder's outstanding Class A Euro Shares GBP Class A Shares having a net asset value at the time of exchange of \_\_\_\_\_; or

\_\_\_\_\_ of the Shareholder's outstanding Class A Euro Shares and GBP Class A Shares.

for such number of \_\_\_\_\_ Shares as may be subscribed for with the amount realised on a redemption of the Shares being exchanged, on the Dealing Day detailed hereafter: \_\_\_\_\_.

Exchanges of Shares are subject to the relevant provisions in the prospectus of BG Eire ICAV (the "Prospectus") and the supplement for BG Eire Fund to the Prospectus.

Shareholders should send a completed exchange request in the form available from the Fund to be received by the Administrator no later than 5.00 pm (Dublin time) on the Business Day falling at least 60 calendar days or such lesser period as the Directors may determine, before the relevant Dealing Day failing which the exchange request may be held over until the next Dealing Day following the expiry of such period.

Notwithstanding the foregoing, no notice period will apply on the exchange of Shares in the Fund where Shareholders submit a completed exchange request in respect of another Class of Shares in the Fund during the Initial Offer Period for that Class, provided that the completed exchange request is received by the Administrator in the form available from the Fund before the close of the relevant Initial Offer Period.



Signature(s) Guaranteed by:

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Signature of Shareholder

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(Print name)

Mailing Address

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## SCHEDULE 4: AML SUBSCRIPTION SUPPLEMENT

### Money Laundering Verification Requirements in accordance with the Criminal Justice (Money Laundering and Terrorist Financing) Act, 2010

#### 1. ANTI-MONEY LAUNDERING DOCUMENTATION REQUIREMENTS

You (the "Investor") must complete this Anti-Money Laundering Supplement ("AML Supplement") in order to become an Investor in the Fund. Your subscription agreement will be deemed incomplete, and you will not be deemed an Investor in the Fund, regardless of whether you have already wired funds, until all of the required documentation for your investor type is received and deemed to be in good order. A delay in providing documentation can result in delayed processing of the application and/or delayed payment of any future redemption proceeds being paid. The Fund and/or the Administrator reserve the right to request additional documentation from time to time.

Enhanced Due Diligence is required to be applied to investors who are Politically Exposed Persons (PEPs) or in any other such circumstance as the Fund or Administrator may deem. For example, the Administrator will require additional information where the investor is a PEP or, in other cases, in order to disregard the investor as a possible PEP.

#### 1. SECTION I - INSTRUCTIONS

- (1) Fill in information in Sections II and III.
- (2) Identify the applicable Investor Type in Section IV and submit the required documentation for that Investor Type.
- (3) Check the appropriate box in Sections V and VI.
- (4) Date and sign the appropriate area in Section VIII based on the Investor Type selected in Section IV.
- (5) Complete Ultimate Beneficial Owner Form attached as Schedule II AML, if necessary.

A properly completed and executed copy of the Subscription Application, completed AML Supplement, and documentation required under Section IV is to be provided to the Fund's Administrator, via facsimile at +1 914 729 9540. The original Subscription Application, completed AML Supplement, and documentation must be sent to the Fund's Administrator immediately thereafter and should be addressed to, Investor Relations Department, SS&C Financial Services (Ireland) Limited, La Touche House, IFSC, Dublin 1, Ireland.  
 Fax: +1 914 729 9540.

#### 2. SECTION II: INVESTOR DETAILS (please complete either Individual or Corporate details as appropriate)

Name of Applicant	
Registered Address	
Principal Business Address	
Occupation	
Date of Birth	

In order for the Administrator to comply with applicable anti-money laundering legislation, the Administrator must be able to identify the source of funds sent to it for investment. Therefore,

you must wire the payment from an account in your name. PLEASE NOTE THAT THIRD PARTY PAYMENTS WILL NOT BE ACCEPTED.

**SECTION III: WIRING BANK DETAILS (which should be the same as in the Application Form)**

Are you a Customer of the Wiring Bank below?		
Bank		
Address		
Name of Account Holder		
Account Number		

**SECTION IV: INVESTOR TYPES**

In order to comply with regulatory and industry standards, each investor is required to provide information and documentation based on his/her/its investor type. Please review the twelve (12) Investor Types, check the box next to the Investor Type that best describes the investor, and provide the required documentation for your investor type to the Administrator at the time of subscription. For Individuals or Entities who are not residents of, or incorporated in, a Prescribed Country (as defined below), **all copies must be certified by a suitable certifier. Failure to provide the required documentation can result in a delay in processing your subscription.**

<b>1</b>	<b>INDIVIDUALS (or each joint investor)</b>
	<ul style="list-style-type: none"> <li>• A copy of a valid passport (or national identity card, driver license, or government-issued identification with photograph)</li> </ul>
	<ul style="list-style-type: none"> <li>• Proof of current residential address dated within the last 6 months (which must match the address given for subscription) via an original or certified copy of recent bank statement or utility bill (mobile phone bills are not acceptable)</li> </ul>
	IF from a Non-Prescribed Country, please also provide:
	<ul style="list-style-type: none"> <li>• Certified copies of the above documents. One additional proof of residential address dated within the last 6 months (which must match the address given for subscription) via an original or certified copy of a recent bank statement or utility bill (mobile phone bills are not acceptable)</li> </ul>
<b>2</b>	<b>DESIGNATED PERSONS INVESTING ON ITS OWN BEHALF OR ON BEHALF OF THIRD PARTIES</b>
	<ul style="list-style-type: none"> <li>• Proof that entity is regulated for AML purposes in a Prescribed Country (website URL)</li> </ul>
	<ul style="list-style-type: none"> <li>• Copy of Authorized Signatory List</li> </ul>
<b>3</b>	<b>LISTED COMPANIES</b>
	<ul style="list-style-type: none"> <li>• Copy of Authorized Signatory List</li> </ul>
	<ul style="list-style-type: none"> <li>• Confirmation that company is listed on a stock exchange in a prescribed country (Name of Stock Exchange or website URL)</li> </ul>
<b>4</b>	<b>PRIVATE COMPANIES</b>
	<ul style="list-style-type: none"> <li>• Copy of Certificate of Incorporation or equivalent</li> </ul>
	<ul style="list-style-type: none"> <li>• Copy of the Memorandum and Articles of Association or equivalent</li> </ul>
	<ul style="list-style-type: none"> <li>• A register of the Directors or a copy of audited annual accounts listing the directors</li> </ul>

	<ul style="list-style-type: none"> <li>• Identification documentation of two directors (or one director and one authorized signatory) will be required as per the legal entity form (See relevant section)</li> </ul>
	<ul style="list-style-type: none"> <li>• Full list of shareholders detailing the percentage ownership</li> </ul>
	IF from a Non-Prescribed Country, all documentation listed above must be provided in certified format. Please also provide the following for all Beneficial Owners as described above:
	<ul style="list-style-type: none"> <li>• Certified copies of the above documents</li> </ul>
	<ul style="list-style-type: none"> <li>• For all Beneficial Owners holding 25% or more of the share capital as described above, identification documentation will be required as per the legal entity form (see relevant section).</li> </ul>
5	<b>INSTITUTIONAL – Local and/or Public Authorities/Supranational Bodies</b>
	<ul style="list-style-type: none"> <li>• Name of the home state authority and the nature of its relationship with the public body</li> </ul>
	<ul style="list-style-type: none"> <li>• Nature and purpose of the institution</li> </ul>
	<ul style="list-style-type: none"> <li>• List of controllers of the institution</li> </ul>
	<ul style="list-style-type: none"> <li>• Verify the identity of two controllers or one controller and one authorised signer</li> </ul>
	<ul style="list-style-type: none"> <li>• Details of the main public body officials (name, residential address, date of birth, and occupation)</li> </ul>
	<ul style="list-style-type: none"> <li>• Confirmation that there are no Beneficial Owners of the entity/confirmation of the nature of ownership of the entity</li> </ul>
	<ul style="list-style-type: none"> <li>• Copy of the latest audited report and accounts (or confirmation that they are not produced)</li> </ul>
	IF from a Non-Prescribed Country, all IF documentation listed above must be provided in certified format. Please also provide the following:
	<ul style="list-style-type: none"> <li>• Certified copy of the most recent Audited Financial Statements, AND</li> </ul>
	For 2 Officials:
	<ul style="list-style-type: none"> <li>• A certified copy of a valid passport (or national identity card, driver license, or government-issued identification with photograph)</li> </ul>
	<ul style="list-style-type: none"> <li>• Two Proofs of current residential address dated within the last 6 months via two original or certified copy of recent bank statements or utility bills (mobile phone bills are not acceptable)</li> </ul>
6	<b>PENSION SCHEMES</b>
	The scheme itself is a Specified Customer. Evidence of exempt status; Letter from the scheme confirming that: 1. Retirement benefits are provided to employees; and 2. Contributions are made by an employer or by way of deduction from an employee's wages; and 3. The scheme rules do not permit the assignment of a member's interests under the scheme; and 4. The pension scheme is registered in an equivalent jurisdiction (this can be determined independently).
	Pension schemes not qualifying for SCDD.
	<ul style="list-style-type: none"> <li>• Full name and registered address of scheme</li> </ul>
	<ul style="list-style-type: none"> <li>• Copy of Authorized Signatory List</li> </ul>
	<ul style="list-style-type: none"> <li>• Confirmation of registration from Pensions Board or relevant tax authority, if applicable</li> </ul>
	<ul style="list-style-type: none"> <li>• Formation Document (e.g., Trust Deed or equivalent); and</li> </ul>

	<ul style="list-style-type: none"> <li>• Details of Trustees/Directors/Board Members or the equivalent (name, residential address, date of birth, and occupation)</li> </ul>
	<ul style="list-style-type: none"> <li>• Verification of two controllers – Trustees/Directors/Governors/Board Members or equivalent.</li> </ul>
	IF from a Non-Prescribed Country, all documentation listed above must be provided in certified format. Please also provide the following:
	<ul style="list-style-type: none"> <li>• Name and address of the Scheme Administrator. Additional documentation may be required in respect of the Scheme Administrator. This will be advised on receipt of the Scheme Administrator details.</li> </ul>
<b>7</b>	<b>PRIVATE TRUSTS (With No Designated Person As Trustee)</b>
	<ul style="list-style-type: none"> <li>• Copy of the Trust Deed or equivalent</li> </ul>
	<ul style="list-style-type: none"> <li>• Registered address of the trust</li> </ul>
	<ul style="list-style-type: none"> <li>• Confirmation of legal form of entity (e.g., trust or foundation)</li> </ul>
	<ul style="list-style-type: none"> <li>• Nature and purpose of entity</li> </ul>
	<ul style="list-style-type: none"> <li>• Details of all trustees (name, residential address, date of birth, and occupation)</li> </ul>
	<ul style="list-style-type: none"> <li>• Details of the settlors or controllers or protectors (name, residential address, date of birth, and occupation)</li> </ul>
	<ul style="list-style-type: none"> <li>• Details of all Beneficial Owners who own 25% or more of the share capital (name, residential address, date of birth, and occupation) – Schedule II</li> </ul>
	<ul style="list-style-type: none"> <li>• If there are no Beneficial Owners who own 25% or more of the share capital, provide details of the individual who has control over the trust and individuals in whose main interest the trust is set up or operates</li> </ul>
	<ul style="list-style-type: none"> <li>• Identification documentation of two trustees (or one trustee and one authorized signatory) (see document requirements for individuals). If the Trustee is not an individual, identification documentation will be required as per the legal entity form (See relevant section)</li> </ul>
	IF from a Non-Prescribed Country, all documentation listed above must be provided in certified format. Please also provide the following:
	<ul style="list-style-type: none"> <li>• Certified true copies of the above documents</li> </ul>
	<ul style="list-style-type: none"> <li>• Identification documentation in respect of all beneficiaries who own 25% or more of the share capital, profit, or voting rights as per the legal entity form (see relevant section).</li> </ul>
	<ul style="list-style-type: none"> <li>• Identification documentation in respect of all Settlers, Protectors &amp; Enforcers</li> </ul>
<b>8</b>	<b>PARTNERSHIPS</b>
	<ul style="list-style-type: none"> <li>• Copy of the Partnership Agreement or equivalent including the full name of the entity and registered address</li> </ul>
	<ul style="list-style-type: none"> <li>• Details of all partners (name, residential address, date of birth, and occupation) or where the Partnership is a Fund</li> </ul>
	<ul style="list-style-type: none"> <li>• Verification of the identity of the General Partner</li> </ul>
	<ul style="list-style-type: none"> <li>• Details of the and Partners who own 25% or more of the partnership capital, profit, or voting rights (name, residential address, date of birth, and occupation)</li> </ul>
	<ul style="list-style-type: none"> <li>• Identification documentation of the General Partner or two partners (or one partner and one authorized signatory) as per the legal entity form (see relevant section)</li> </ul>

	IF from a Non-Prescribed Country, all documentation listed above must be provided in certified format. Please also provide the following:
	<ul style="list-style-type: none"> <li>• Certified copy of the partnership agreement</li> </ul>
	<ul style="list-style-type: none"> <li>• Verification of the identity of the General Partner</li> </ul>
	<ul style="list-style-type: none"> <li>• Identification documentation for all partners who own 25% or more of the partnership capital, profit, or voting rights in line with their legal entity form (see relevant section)</li> </ul>
9	<b>LIMITED LIABILITY COMPANIES</b>
	<ul style="list-style-type: none"> <li>• Full name and registered address</li> </ul>
	<ul style="list-style-type: none"> <li>• Operating agreement</li> </ul>
	<ul style="list-style-type: none"> <li>• Copy of the Certificate of Formation or equivalent</li> </ul>
	<ul style="list-style-type: none"> <li>• Identification documentation for two Managing Members (or one Managing Member and one authorized signatory) as per the legal entity form (see relevant section)</li> </ul>
	<ul style="list-style-type: none"> <li>• Details of all Managing Members (name, residential address, date of birth, and occupation)</li> </ul>
	<ul style="list-style-type: none"> <li>• Details of Members who own 25% or more of the share capital, profit, or voting rights (name, residential address, date of birth, and occupation)</li> </ul>
	IF from a Non-Prescribed Country, all documentation listed above must be provided in certified format. Please also provide the following:
	<ul style="list-style-type: none"> <li>• Certified formation documentation and certified documentation for the managing members</li> </ul>
	<ul style="list-style-type: none"> <li>• Identification documentation for all Members beneficially entitled to</li> </ul>
	25% or more of the share capital, profit or voting rights as per the legal entity form (see relevant section)
10	<b>REGISTERED CHARITIES/FOUNDATIONS</b>
	<ul style="list-style-type: none"> <li>• Confirmation on nature and purpose of charity including nature of funding</li> </ul>
	<ul style="list-style-type: none"> <li>• Full name and address of the institution</li> </ul>
	<ul style="list-style-type: none"> <li>• Constitutional or Formation document</li> </ul>
	<ul style="list-style-type: none"> <li>• Details of Trustees/Directors/Board Members or the equivalent (name, residential address, date of birth, and occupation)</li> </ul>
	<ul style="list-style-type: none"> <li>• Review of the relevant charities register</li> </ul>
	<ul style="list-style-type: none"> <li>• Identification documentation of either two Trustees/Directors/Board Members or the equivalent (or one Trustee/Director/Board Member or equivalent and one authorized signatory) as per their legal entity form (see relevant section)</li> </ul>
	<ul style="list-style-type: none"> <li>• Details of the beneficiaries (where ascertainable)</li> </ul>
	IF from a Non-Prescribed Country, all documentation listed above must be provided in certified format. Please also provide the following:
	<ul style="list-style-type: none"> <li>• Certified Identification documentation for all beneficiaries holding in excess of 25% of the property of the entity. Documentation required as per the legal entity form (see relevant section)</li> </ul>
	<ul style="list-style-type: none"> <li>• Certified copy of the Audited Financial Statements</li> </ul>
11	<b>SCHOOLS, COLLEGES OR UNIVERSITIES</b>
	<ul style="list-style-type: none"> <li>• Full name</li> </ul>
	<ul style="list-style-type: none"> <li>• Registered office address</li> </ul>
	<ul style="list-style-type: none"> <li>• Copy of the constitutive document / formation document</li> </ul>
	<ul style="list-style-type: none"> <li>• Details of the main officials (name, date of birth)</li> </ul>

	<ul style="list-style-type: none"> <li>• Identification documentation of two officials (or one official and one authorized signatory) as per their legal entity form (see relevant section)</li> </ul>
	<ul style="list-style-type: none"> <li>• Determine the ownership of the entity. In particular, determine if owned publicly or privately. In case of the latter, identify all beneficiaries holding 25% or more of the assets.</li> </ul>
	IF from a Non-Prescribed Country, please also provide:
	<ul style="list-style-type: none"> <li>• Certified identification documentation of two officials in line with higher risk requirements</li> </ul>
	<ul style="list-style-type: none"> <li>• Certified formation documentation</li> </ul>
12	<b>FUNDS</b>
	<ul style="list-style-type: none"> <li>• Full name of the Fund</li> </ul>
	<ul style="list-style-type: none"> <li>• Registered address of the Fund</li> </ul>
	<ul style="list-style-type: none"> <li>• Copy of the authorized signatory list</li> </ul>
	<ul style="list-style-type: none"> <li>• Copy of the Offering Memorandum/PPM or equivalent</li> </ul>
	<ul style="list-style-type: none"> <li>• Name and address of the Fund's Promoter and Administrator</li> </ul>
	<ul style="list-style-type: none"> <li>• Proof of regulation for the entity conducting the AML on the underlying investors of the Fund</li> </ul>
	<ul style="list-style-type: none"> <li>• Signed AML letter from the administrator on company headed paper IF from a Non-Prescribed Country, OR if entity conducting AML is not regulated in a prescribed country, all documentation listed above must be provided in certified format.</li> </ul>
	Please also provide the following:
	<ul style="list-style-type: none"> <li>• Identification documentation of all investors holding 25% or more of the shares/units in the Fund as per their legal entity form (see relevant section)</li> </ul>

**SECTION V: POLITICALLY EXPOSED PERSON ("PEP") REPRESENTATION**

Politically Exposed Persons ("PEPs"), and immediate family members, and close associates of such persons must also be identified and are subject to Enhanced Due Diligence.

**I am a Politically Exposed Person ("PEP"), and/or immediate family member, and/or close associate of a PEP. Please provide the following details and complete Schedule AML I - Source of Wealth Confirmation:**

<b>Name:</b>	
<b>Residential Address:</b>	
<b>Date of Birth:</b>	
<b>Occupation:</b>	

**I am NOT a Politically Exposed Person ("PEP"), and/or immediate family member, and/or close associate of a PEP.**

**SECTION VII: SIGNATURES**

The undersigned hereby represents that: (i) the information contained herein is complete and accurate and may be relied upon; and (ii) the anti-money laundering representations contained in Section VII are true and correct.

**IN WITNESS WHEREOF**, the undersigned has executed this Anti-Money Laundering Supplement this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

**SIGNATURE FOR INVESTOR TYPE 1 - INDIVIDUALS OR JOINT APPLICANTS as outlined in Section IV**

Print Name	
Signature	
Print Name	
Signature	

**SIGNATURE FOR INVESTOR TYPES 2-13 - COLLECTIVELY "ENTITIES" as outlined in Section IV**

Name of Entity	
Authorized Signature	
Name	
Title	



## DEFINITIONS

### For the purposes of this Supplement:

**“PRESCRIBED COUNTRY”** includes EU Member States and Australia, Brazil, Canada, The French Overseas Territories of Mayotte, New Caledonia, French Polynesia, Saint Pierre and Miquelon and Wallis and Futuna), Hong Kong, Japan, Liechtenstein, Malta, The Netherlands (to include Aruba, Curacao and Saint Maarten), Norway, Singapore, South Africa, South Korea, Switzerland, and United States.

**“BENEFICIAL OWNER”** in relation to a corporate body (other than a company having its securities listed on a regulated market) is any individual who ultimately owns or controls, directly or indirectly, 25% or more of the shares or voting rights or otherwise exercises control over the management of the entity

**“DESIGNATED PERSON”** is a regulated financial institution (ie, bank or broker-dealer), a credit institution, a financial institution, an auditor, external accountant or tax advisor, a relevant independent legal professional, a trust or company service provider that is located in a Specified Country.

**“POLITICALLY EXPOSED PERSON”** A Politically-Exposed Person” (“PEP”) is an individual who has at any time in the preceding 12 months been entrusted with a prominent public function.

**“SETTLER”** refers to the individual who created the trust or granted property to the trust.

**“SUITABLE CERTIFIERS”** include a chartered and certified public accountant, notary public, lawyer, embassy and consular staff, Director or Manager of a registered broker-dealer or other regulated financial institution, or a member of the judiciary or a senior civil servant. Each document presented must be marked with the words “original seen’ or ‘true copy of the original document.’ The document must be signed and dated by the individual certifying the document and noting their capacity, contact details, and license number (if applicable).

**SCHEDULE AML I**

**SOURCE OF WEALTH CONFIRMATION**

"I/We acknowledge that measures aimed at the prevention of money laundering and terrorist financing will require the verification of my/our identity, address and source of funds and in certain circumstances of the relevant beneficial owner. In addition, this also requires the ongoing monitoring of our business relationship. I/we also acknowledge that the commencement of a business relationship with politically exposed persons, commonly referred to as PEPs, requires a higher level of scrutiny. A PEP is an individual who is or has, at any time in the preceding 12 months, been entrusted with a prominent public function, his/her immediate family members and/or close associates of such person.

**PEP Confirmation**

I/We confirm that I am/we are a PEP Y/N

In the case of an incorporated applicant, I confirm that the beneficial owner(s) is/are PEPs Y/N

**Source of Wealth**

If you have answered Yes to either of the previous questions, please complete the following:

To comply with the requirements of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 & 2013, you are required to provide information to confirm the source of funds and source of wealth in respect of the amount you are investing. This checklist must be signed and dated by either the investor(s) or the intermediary.  
**Please fully complete the appropriate sections and associated details below.**  
**Individual Investors:** Please ensure that both A and C below are fully completed  
**Corporate Investors:** Please ensure that both B and C below are fully completed

**A Individuals** (to be completed in respect of single and joint applicants)

Occupation	
Employer (omit if retired)	
Annual Income (omit if retired)	

Source of funds

Income	
Savings	
Inheritance	Benefactor
	Date
Sale of existing assets	Type of assets sold
Other	Please specify

Details of Additional Assets Held

Cash	Value
Property	Value
Shares/Bonds	Value

Other (Details)

None

Investor's net worth (total assets less liabilities) In respect of joint applicants, combined total net worth

USD/EUR 100,000 to 500,000

USD/EUR 1,000,001 to 1,250,000

USD/EUR 500,001 to 1,000,000

More than USD/EUR 1,250,000

**B Corporate**

Please provide one of the following

- (i) an original document or certified true copy of latest audited financial statements, or
- (ii) an original document or certified true copy of latest financial statements, or
- (iii) confirmation that (i) or (ii) are not produced plus details of the corporate's:

1. Activities and nature of business activity
2. Annual net profits for previous and current financial years and net assets at end of current and previous financial years
3. Anticipated level of investment in products offered by SS&C in the coming 12 months

**C This checklist must be signed and dated by the investor(s) or the intermediary**

Prepared by (capitals)

Name of investor

or Name of intermediary

Signature

Date

**(Please complete fully as incomplete applications may be rejected)**

I/We acknowledge that the Administrator reserves the right not to issue shares/units until such time as the Administrator has received and is satisfied with all the information and documentation requested to verify my/our identity, address, PEP status and source of funds. I/We also acknowledge that the Administrator shall be held harmless by me/us against any loss suffered by the Administrator arising as a result of a failure to process my/our application for shares/units if such information and documentation as has been requested by the Administrator has not been provided by me/us. I/We also confirm that if my status changes I/we will alert the administrator"

## SCHEDULE AML II

### 58.1 Ultimate Beneficial Ownership Form

Ultimate Beneficial Owners are individuals who directly, or indirectly, hold ownership or control of 25 per cent or more of the shares or voting rights in an entity, or otherwise exercise control over the management of the entity.

#### **Notes to help with completion:**

1. Please ensure the form is fully completed and, in the case of a corporate entity, please sign in accordance with the authorised signatory list.
2. Please note this form does not need to be completed by entities regulated for AML purposes in Irish prescribed Jurisdictions.
3. Individual investors only need to complete this form if monies for the investment are coming from a joint bank account and the second person has not signed the subscription document.
4. For all other investments, please complete either A *or* B as applicable and sign below:

For all other investments, please tick either A *or* B as applicable and sign below:

A. There are no Ultimate Beneficial Owners owning 25% or more at this time

B. The Ultimate Beneficial Owner(s) owning 25% or more are known at this time

**If you have ticked (B) please provide detail of Ultimate Beneficial Owner(s) below:**

Name	Address	Date of Birth	% Holding

Signature One; \_\_\_\_\_ Signature Two; \_\_\_\_\_

Signed by; \_\_\_\_\_ Signed by; \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

**Note: A trade will not be placed until the Ultimate Beneficial Owners have been confirmed.**

Please return this form duly completed with the subscription document.

## **SCHEDULE 5: DETERMINATION OF "BENEFICIAL OWNERS" FOR PURPOSES OF PARAGRAPH 51 OF THE APPLICATION FORM**

Rule 13d-3 under the United States Securities Exchange Act of 1934, as amended (the "Exchange Act"):

- (a) For the purposes of sections 13(d) and 13(g) of the Exchange Act a beneficial owner of a security includes any person who, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:
  - (1) Voting power which includes the power to vote, or to direct the voting of, such security; and/or,
  - (2) Investment power which includes the power to dispose, or to direct the disposition of, such security.
- (b) Any person who, directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement or any other contract, arrangement, or device with the purpose or effect of divesting such person of beneficial ownership of a security or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of section 13(d) or (g) of the Exchange Act shall be deemed for purposes of such sections to be the beneficial owner of such security.
- (c) All securities of the same class beneficially owned by a person, regardless of the form which such beneficial ownership takes, shall be aggregated in calculating the number of shares beneficially owned by such person.
- (d) Notwithstanding the provisions of paragraphs (a) and (c) of this rule:
  - (1)
    - (i) A person shall be deemed to be the beneficial owner of a security, subject to the provisions of paragraph (b) of this rule, if that person has the right to acquire beneficial ownership of such security, as defined in Rule 13d-3(a) within sixty days, including but not limited to any right to acquire: (A) through the exercise of any option, warrant or right; (B) through the conversion of a security; (C) pursuant to the power to revoke a trust, discretionary account, or similar arrangement; or (D) pursuant to the automatic termination of a trust, discretionary account or similar arrangement; provided, however, any person who acquires a security or power specified in paragraphs (d)(1)(i)(A), (B) or (C), of this section, with the purpose or effect of changing or influencing the control of the issuer, or in connection with or as a participant in any transaction having such purpose or effect, immediately upon such acquisition shall be deemed to be the beneficial owner of the securities which may be acquired through the exercise or conversion of such security or power. Any securities not outstanding which are subject to such options, warrants, rights or conversion privileges shall be deemed to be outstanding for the purpose of computing the percentage of outstanding securities of the class owned by such person but shall not be deemed to be outstanding for the purpose of computing the percentage of the class by any other person.
    - (ii) Paragraph (d)(1)(i) of this section remains applicable for the purpose of determining the obligation to file with respect to the underlying security even though the option, warrant, right or convertible security is of a

class of equity security, as defined in Rule 13d-1(i) under the Exchange Act, and may therefore give rise to a separate obligation to file.

- (2) A member of a national securities exchange shall not be deemed to be a beneficial owner of securities held directly or indirectly by it on behalf of another person solely because such member is the record holder of such securities and, pursuant to the rules of such exchange, may direct the vote of such securities, without instruction, on other than contested matters or matters that may affect substantially the rights or privileges of the holders of the securities to be voted, but is otherwise precluded by the rules of such exchange from voting without instruction.
- (3) A person who in the ordinary course of his business is a pledgee of securities under a written pledge agreement shall not be deemed to be the beneficial owner of such pledged securities until the pledgee has taken all formal steps necessary which are required to declare a default and determines that the power to vote or to direct the vote or to dispose or to direct the disposition of such pledged securities will be exercised, provided, that:
  - (i) The pledgee agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the issuer, nor in connection with any transaction having such purpose or effect, including any transaction subject to Rule 13d-3(b);
  - (ii) The pledgee is a person specified in Rule 13d-1(b)(ii), including persons meeting the conditions set forth in paragraph (G) thereof; and
  - (iii) The pledgee agreement, prior to default, does not grant to the pledgee;
    - (A) The power to vote or to direct the vote of the pledged securities; or
    - (B) The power to dispose or direct the disposition of the pledged securities, other than the grant of such power(s) pursuant to a pledge agreement under which credit is extended subject to Federal Reserve Board Regulation T and in which the pledgee is a broker or dealer registered under Section 15 of the Exchange Act.
- (4) A person engaged in business as an underwriter of securities who acquires securities through his participation in good faith in a firm commitment underwriting registered under the United States Securities Act of 1933, as amended, shall not be deemed to be the beneficial owner of such securities until the expiration of forty days after the date of such acquisition.

## **SCHEDULE 6: TAX FORMS**

All investors are required to submit appropriate tax forms. The most current versions of such forms are located at the following websites:

### **Form W-8BEN**

<http://www.irs.ustreas.gov/pub/irs-pdf/fw8ben.pdf>

### **Instructions for W-8BEN**

<http://www.irs.ustreas.gov/pub/irs-pdf/iw8ben.pdf>

### **Form W-8BEN-E**

<http://www.irs.gov/pub/irs-pdf/fw8bene.pdf>

### **Form W-8ECI**

<http://www.irs.ustreas.gov/pub/irs-pdf/fw8eci.pdf>

### **Instructions for W-8ECI**

<http://www.irs.ustreas.gov/pub/irs-pdf/iw8eci.pdf>

### **Form W-8EXP**

<http://www.irs.ustreas.gov/pub/irs-pdf/fw8exp.pdf>

### **Instructions for W-8EXP**

<http://www.irs.ustreas.gov/pub/irs-pdf/iw8exp.pdf>

### **Form W-8IMY**

<http://www.irs.ustreas.gov/pub/irs-pdf/fw8imy.pdf>

### **Instructions for W-8IMY**

<http://www.irs.ustreas.gov/pub/irs-pdf/iw8imy.pdf>

# SCHEDULE 7: FATCA AND CRS SELF-CERTIFICATION

## Self-Certification for FATCA and CRS

### Instructions for completion

We are obliged pursuant to the Intergovernmental Agreement Between the Government of Ireland and the Government of the United States of America to Improve International Tax Compliance and to Implement FATCA, Section 891E, Section 891F and Section 891G of the Taxes Consolidation Act 1997 (as amended) and regulations made pursuant to those sections to collect certain information about each investor. Please complete the sections below as directed and provide any additional information that is requested. Please note that in certain circumstances we may be legally obliged to share this information, and other financial information with respect to an investor's interests in the Fund with relevant tax authorities. This form is intended to request information only where such request is not prohibited by Irish law. If you have any questions about this form or defining the investor's tax residency status, please refer to the OECD CRS Portal or speak to a tax adviser.

For further information on FATCA or CRS please refer to Irish Revenue website at <http://www.revenue.ie/en/business/aeoi/index.html> or the following link: <http://www.oecd.org/tax/automatic-exchange/> in the case of CRS only.

If any of the information below changes in the future, please ensure that we are advised of these changes promptly.  
(Mandatory fields are marked with an \*)

### Entity Self-Certification

Investors that are individuals should not complete this form and should complete the form entitled "Individual Self-Certification".

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#### Section 1: Investor Identification

Investor Name\*: \_\_\_\_\_ (the "Entity")

Country of Incorporation or Organisation: \_\_\_\_\_

Current Registered Address\*:

Number: \_\_\_\_\_ Street: \_\_\_\_\_

City, town, State, Province or County: \_\_\_\_\_

Postal/ZIP Code: \_\_\_\_\_ Country: \_\_\_\_\_

Mailing address (if different from above):

Number: \_\_\_\_\_ Street: \_\_\_\_\_

City, town, State, Province or County: \_\_\_\_\_

Postal/ZIP Code: \_\_\_\_\_ Country: \_\_\_\_\_

#### Section 2: FATCA Declaration Specified U.S. Person:

Please tick either (a), (b) or (c) below and complete as appropriate.

a) The Entity is a *Specified U.S. Person* and the Entity's U.S. Federal Taxpayer Identifying number (U.S. TIN) is as follows:

U.S. TIN: \_\_\_\_\_

Or

b) The Entity is **not** a *Specified U.S. Person* (please also complete Sections 3, 4 and 5)

Or

c) The Entity is a US person but **not** a *Specified U.S. Person* (please also complete Sections 3, 4 and 5)



**Section 3: Entity’s FATCA Classification\* (the information provided in this section is for FATCA, please note your FATCA classification may differ from your CRS classification in Section 5):**

**3.1 Financial Institutions under FATCA:**

If the Entity is a *Financial Institution*, please tick one of the below categories and provide the Entity’s GIIN at 3.2

I.	<i>Irish Financial Institution or a Partner Jurisdiction Financial Institution</i>	
II.	<i>Registered Deemed Compliant Foreign Financial Institution</i>	
III.	<i>Participating Foreign Financial Institution</i>	

**3.2** Please provide the Entity’s *Global Intermediary Identification number (GIIN)* \_\_\_\_\_

**3.3** If the Entity is a *Financial Institution* but unable to provide a *GIIN*, please tick one of the below reasons:

I.	The Entity has not yet obtained a <i>GIIN</i> but is sponsored by another entity which does have a <i>GIIN</i> Please provide the sponsor’s name and sponsor’s <i>GIIN</i> : Sponsor’s Name: _____ Sponsor’s <i>GIIN</i> : _____	
II.	<i>Exempt Beneficial Owner</i>	
III.	<i>Certified Deemed Compliant Foreign Financial Institution (including a deemed compliant Financial Institution under Annex II of the Agreement)</i>	
IV.	<i>Non-Participating Foreign Financial Institution</i>	
V.	<i>Excepted Foreign Financial Institution</i>	

**3.4 Non-Financial Institutions under FATCA:**

If the Entity is not a *Financial Institution*, please tick one of the below categories

I.	<i>Active Non-Financial Foreign Entity</i>	
II.	<i>Passive Non-Financial Foreign Entity</i> (If this box is ticked, please <b>include self-certification forms</b> for each of your <i>Controlling Persons</i> )	
III.	<i>Excepted Non-Financial Foreign Entity</i>	

**Section 4: CRS Declaration of Tax Residency (please note that you may choose more than one country)\***

Please indicate the Entity’s country of tax residence for CRS purposes, (if resident in more than one country please detail all countries of tax residence and associated tax identification numbers (“**TIN**”)).

**NOTE:** Provision of a **TIN** is required unless you are tax resident in a Jurisdiction that does not issue a **TIN**.

If the Entity is not tax resident in any jurisdiction (e.g., because it is fiscally transparent), please indicate that below and provide its place of effective management or country in which its principal office is located.

Country of Tax Residency	TIN

**Section 5: Entity's CRS Classification\*** (The information provided in this section is for CRS. Please note an Entity's CRS classification may differ from its FATCA classification in Section 3):

For more information please see the CRS Standard and associated commentary.

<http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/common-reporting-standard-and-related-commentaries/>

**5.1 Financial Institutions under CRS:**

If the Entity is a *Financial Institution*, please tick one of the below categories

I.	<i>Financial Institution under CRS (other than (II) below)</i>	
II.	An <i>Investment Entity</i> located in a <i>Non-Participating Jurisdiction</i> and managed by another <i>Financial Institution</i> (If this box is ticked, please indicate the name of any Controlling Person(s) of the Entity and complete a separate individual self-certification forms for each of your Controlling Persons **)	

**5.2 Non Financial Institutions under CRS:**

If the Entity is a *Non Financial Institution*, please tick one of the below categories

I.	<i>Active Non-Financial Entity</i> – a corporation the stock of which is regularly traded on an established securities market or a corporation which is a related entity of such a corporation	
II.	<i>Active Non-Financial Entity</i> – a Government Entity or Central Bank	
III.	<i>Active Non-Financial Entity</i> – an International Organisation	
IV.	<i>Active Non-Financial Entity</i> – other than (I)-(III) (for example a start-up NFE or a non-profit NFE)	
V.	<i>Passive Non-Financial Entity</i> (If this box is ticked, please complete a separate Individual Self-Certification Form for each of your Controlling Person(s) )	

**\*\*Controlling Person's:**

**NB: Please note that each Controlling Person must complete a Separate Individual Self-Certification form.**

**If there are no natural person(s) who exercise control of the Entity then the Controlling Person will be the natural person(s) who hold the position of senior managing official of the Entity.**

For further information on Identification requirements under CRS for Controlling Persons, see the Commentary to Section VIII of the CRS Standard.

<http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/common-reporting-standard-and-related-commentaries/>

**Section 6: Declarations and Undertakings**

I/We declare (as an authorised signatory of the Entity) that the information provided in this form is, to the best of my/our knowledge and belief, accurate and complete.

I acknowledge that the information contained in this form and information regarding the Account Holder may be reported to the tax authorities of the country in which this account(s) is/are maintained and exchanged with tax authorities of another country or countries in which the Account Holder may be tax resident where those countries (or tax authorities in those countries) have entered into Agreements to exchange financial account information.

I/We undertake to advise the recipient promptly and provide an updated Self-Certification where any change in circumstance occurs which causes any of the information contained in this form to be incorrect.

**Authorised Signature(s)\*:**

\_\_\_\_\_

**Print Name(s)\*:**

\_\_\_\_\_

**Capacity in which declaration is made\*:**

\_\_\_\_\_

**Date: (dd/mm/yyyy):\*** \_\_\_\_\_

## Individual (Controlling Person's) Self-Certification

### Instructions for completion

Please note that where there are joint or multiple account holders each investor is required to complete a separate Self-Certification form.

**Sections 1, 2, 3 and 5 must be completed by all investors.**

**Section 4 should only be completed by any individual who is a Controlling Person of an entity investor which is a Passive Non-Financial Entity.**

For further guidance see.

<http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/common-reporting-standard-and-related-commentaries/>

(Mandatory fields are marked with an \*)

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### Section 1: Investor Identification

**Investor Name\*:** \_\_\_\_\_

**Current Residential Address\*:**

Number: \_\_\_\_\_ Street: \_\_\_\_\_

City, Town, State, Province or County: \_\_\_\_\_

Postal/ZIP Code: \_\_\_\_\_ Country: \_\_\_\_\_

**Mailing address (if different from above):**

Number: \_\_\_\_\_ Street: \_\_\_\_\_

City, Town, State, Province or County: \_\_\_\_\_

Postal/ZIP Code: \_\_\_\_\_ Country: \_\_\_\_\_

**Place Of Birth\***

**Town or City of Birth\*:** \_\_\_\_\_ **Country of Birth\*:** \_\_\_\_\_

**Date of Birth\*:** \_\_\_\_\_

**Section 2: FATCA Declaration of U.S. Citizenship or U.S. Residence for Tax purposes\*:**

Please tick either (a) or (b) and complete as appropriate.

(a) I confirm that [I am]/[the investor is] a U.S. citizen and/or resident in the U.S. for tax purposes and [my]/[its] U.S. federal taxpayer identifying number (U.S. TIN) is as follows:

\_\_\_\_\_

**OR**

(b) I confirm that [I am not]/[the investor is not] a U.S. citizen or resident in the U.S. for tax purposes.

**Section 3: CRS Declaration of Tax Residency (please note you may chose more than one country)\***

Please indicate your/ the investor’s country of tax residence (if resident in more than one country please detail all countries of tax residence and associated taxpayer identification numbers (“TIN”). Please see the CRS Portal for more information on Tax Residency.

Country of Tax Residency	TIN

**NOTE:** Provision of a TIN is required unless you are tax resident in a Jurisdiction that does not issue a TIN.

**Section 4 – Type of Controlling Person**

(ONLY to be completed by any individual who is a Controlling Person of an entity investor which is a Passive Non-Financial Entity or an Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution)

For joint or multiple Controlling Persons please complete a separate Self-Certification form for each Controlling Person

<i>Please Confirm what type of Controlling Person applicable under CRS that applies to you/the investor by ticking the appropriate box.</i>	Please Tick	Entity Name
Controlling Person of a legal person – control by ownership		
Controlling Person of a legal person – control by other means		
Controlling Person of a legal person – senior managing official		
Controlling Person of a trust - settlor		
Controlling Person of a trust – trustee		
Controlling Person of a trust – protector		
Controlling Person of a trust – beneficiary		
Controlling Person of a trust – other		
Controlling Person of a legal arrangement (non-trust) – settlor-equivalent		
Controlling Person of a legal arrangement (non-trust) – trustee-equivalent		
Controlling Person of a legal arrangement (non-trust) – protector-equivalent		
Controlling Person of a legal arrangement (non-trust) – beneficiary-equivalent		
Controlling Person of a legal arrangement (non-trust) – other-equivalent		

**Section 5: Declaration and Undertakings\*:**

I declare that the information provided in this form is, to the best of my knowledge and belief, accurate and complete.

I acknowledge that the information contained in this form and information regarding the Account Holder may be reported to the tax authorities of the country in which this account(s) is/are maintained and exchanged with tax authorities of another country or countries in which the Account Holder may be tax resident where those countries (or tax authorities in those countries) have entered into Agreements to exchange financial account information.

I undertake to advise the recipient promptly and provide an updated Self-Certification form where any change in circumstances occurs which causes any of the information contained in this form to be incorrect.

I hereby consent to the recipient sharing this information with the relevant tax authorities.

Authorised Signature\*: \_\_\_\_\_ Print Name\*: \_\_\_\_\_

Date: (dd/mm/yyyy)\*: \_\_\_\_\_ Capacity\*: \_\_\_\_\_

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## Schedule 8: DATA PRIVACY STATEMENT

In accordance with the General Data Protection Regulation (697/2016/EU) (the “**GDPR**”) and applicable Irish data protection legislation (currently the Irish Data Protection Acts 1988 to 2003) (collectively, “**Data Protection Legislation**”) the Fund being a data controller, must provide you with information on how the personal data that you provide as part of your subscription to shares in the Fund will be processed by the Fund, its service providers and delegates and their duly authorised agents and any of their respective related, associated or affiliated companies.

In circumstances where Boussard & Gavaudan Investment Management LLP (the “**AIFM**”), itself uses your personal data for its own purposes, it will also be considered a data controller and all rights afforded to you as a data subject under the GDPR shall be solely exercisable against the AIFM.

As a consequence of your investment, the Fund and the AIFM, each acting as a data controller, may itself (or through third parties including but not limited to SS&C Financial Services (Ireland) Limited (the “**Administrator**”), and any sub-distributors that may be appointed from time to time (collectively the “**Distributor**”), local paying agents and mailing firms appointed by any of the foregoing (together the “**Service Providers**”)) process your personal information or that of your directors, officers, employees, intermediaries and/or beneficial owners. Such Service Providers will then be considered to be “processors” under the GDPR.

In this regard, please note the following:

### Purposes of Processing and Legal Basis for Processing

The personal data collected from you or provided by you or on your behalf in connection with your holdings in the Fund will be collected, stored, disclosed, used and otherwise processed by the Service Providers on behalf of the Fund for the purposes outlined in the table below.

Processing Activity by or on behalf of the Fund	Legal Basis for Processing
Managing and administering your holdings in the Fund and any related account on an ongoing basis	Performance of the contract between the Fund and you
Disclosures to third parties such as auditors, regulatory, tax authorities and technology providers in the context of the day to day operations of the Fund	Performance of the contract between the Fund and you
Investor communication and the recording, maintaining, storing and using recordings of telephone calls and electronic communications that you make to and receive from the Fund, the Service Providers and their delegates or duly appointed agents and any of their respective related,	Pursuing the legitimate interests of the Fund including: <ul style="list-style-type: none"><li>- dispute resolution, record keeping, security and/or training purposes; and</li></ul>

Processing Activity by or on behalf of the Fund	Legal Basis for Processing
associated or affiliated companies for any matters related to investment in the Fund, dispute resolution, record keeping, security and/or training purposes	<ul style="list-style-type: none"> <li>- allowing the fund service providers to comply with legal obligations to which they are subject</li> </ul>

The AIFM as a data controller of your personal data may also collect, store, disclose, use or otherwise process your personal data for the purposes outlined in the table below.

Processing Activity by or on behalf of the AIFM	Legal Basis for Processing
Complying with any applicable legal, tax or regulatory obligations imposed on the AIFM	Compliance with a legal obligation to which the AIFM is subject
Investor communication and the recording, maintaining, storing and using recordings of telephone calls and electronic communications that you make to and receive from the AIFM for any matters related to investment in the Fund, dispute resolution, record keeping, security and/or training purposes	Pursuing the legitimate interests of the AIFM including: <ul style="list-style-type: none"> <li>- dispute resolution, record keeping, security and/or training purposes; and</li> <li>- allowing the AIFM to comply with legal obligations to which it is subject</li> </ul>
(i) Carrying out statistical analysis and market research ; and (ii) direct marketing	Pursuing the legitimate interests of the AIFM including: The distribution of the AIFM's products.

**Please note that where personal data is processed for purposes of legitimate interests, you have a right to object to such processing and the Fund and its appointed Service Providers will no longer process the personal data unless it can be demonstrated that there are compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.**



## **Profiling and Screening**

The Fund and its appointed Service Providers may engage in PEP screening and financial sanctions screening programs defined by the European Union (“**EU**”), the United Nations (“**UN**”), Her Majesty’s Treasury (“**HMT**”) and the Office of Foreign Assets Control (“**OFAC**”) for the purposes of complying with anti-money laundering and counter terrorist financing legislation and with UN, EU and other applicable sanctions regimes. The implementation of such PEP screening and financial sanctions screening programmes may result in the Fund or its Service Providers refusing an application for Shares in the Fund or delaying or refusing to make any redemption payment or distribution payment to you if you, your directors or any beneficial owner of your Shares appear on such screening programmes. In the event that you are identified as a PEP as a result of the screening process, you may be required to provide additional information and/or documentation to the Fund or its Service Providers.

## **Undertaking in connection with other parties**

By providing personal data to the Fund, you undertake to be authorised to disclose to the Fund relevant information applicable to the beneficial owner of the investment, to your directors and authorised signatories and to persons that own, directly or indirectly, an interest in the Fund. In this respect you confirm that you have provided these persons with all the information required under applicable data protection law, notably regarding their data protection rights, and received from these persons their authorisation for the processing and transfer of their personal data to us.

## **Disclosures to Service Providers and / or Third Parties**

Personal data relating to you which is collected from you or provided by you or on your behalf may be handled by Service Providers appointed by the Fund and its or their duly appointed agents and any related, associated or affiliated companies for the purposes specified above.

These Service Providers will be obliged to adhere to the data protection laws of the countries in which they operate.

The Fund and/or the AIFM may disclose your personal data to other third parties where required by law or for legitimate business interests. This may include disclosure to third parties such as auditors and the Central Bank of Ireland, regulatory bodies, taxation authorities and technology providers.

## **Transfers Abroad**

Personal data collected from you or provided by you or on your behalf may be transferred outside of Ireland including to companies situated in countries outside of the European Economic Area (“**EEA**”) which may not have the same data protection laws as in Ireland.

Where data transfers outside of the EEA take place, the Fund is required to take necessary steps to ensure that appropriate safeguards have been put in place to protect the privacy and integrity of such personal data.

### **Data Retention Period**

The Fund and its appointed Service Providers will retain all information and documentation provided by you in relation to your investment in the Fund for such period of time as may be required by Irish legal and regulatory requirements.

### **Your data protection rights**

Please note that you have the following rights under the GDPR. In each case, the exercise of these rights is subject to the provisions of the GDPR:

- (i) You have a right of access to and the right to amend and rectify your personal data.
- (ii) You have the right to have any incomplete personal data completed.
- (iii) You have a right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of personal data relating to you carried out by the Fund infringes the GDPR.
- (iv) You have a right to be forgotten (right of erasure of personal data).
- (v) You have a right to restrict processing.
- (vi) You have a right to data portability.
- (vii) You also have the right to object to processing where personal data is being processed for direct marketing purposes and also where the Fund is processing personal data for legitimate interests.

Where you wish to exercise any of your data protection rights against the Fund or against the AIFM, please contact us via the details provided below under “Contact Us”.

The Fund, its Service Provider or the AIFM will respond to your request to exercise any of your rights under the GDPR in writing, as soon as practicable and in any event **within one month** of receipt of your request, subject to the provisions of the GDPR. The Fund, its Service Provider or the AIFM may request proof of identification to verify your request.

## **Failure to provide personal data**

As outlined in the section titled “**Purposes of Processing and Legal Basis for Processing**”, the provision of personal data by you is required for us to manage and administer your holdings in the Fund and so that we can comply with the legal, regulatory and tax requirements referenced above. Where you fail to provide such personal data in order to comply with anti-money laundering/counter terrorist financing or other legal requirements, in certain circumstances, we may be prohibited from making redemption and/or may be required to discontinue our business relationship with you by compulsorily redeeming your shareholding in the Fund.

## **Contact us**

If you have any questions about our use of your personal information, please contact [bg.gdpr@bgam-fr.com](mailto:bg.gdpr@bgam-fr.com).

## SCHEDULE 9: NEW ISSUES QUESTIONNAIRE

The undersigned investor ("Investor") in BG Umbrella Fund plc (the "Fund") must complete this Questionnaire in order for the Fund to be able to determine the extent to which the Investor may participate in "new issue" securities ("New Issues") in accordance with the applicable rules of the Financial Industry Regulatory Authority, Inc. ("FINRA"). If the Investor is a corporation, partnership, trust or any other entity or a nominee for another person, the person completing this Questionnaire with respect to the Investor must be the beneficial owner(s), a person authorized to represent the beneficial owner(s), or a bank, foreign bank, broker-dealer, investment adviser or other conduit acting on behalf of the beneficial owner(s).

**INSTRUCTIONS:** Each Investor must complete this Questionnaire by checking (i) the box next to all applicable categories under Part A of Item I to determine whether the Investor is a restricted person (a "Restricted Person") or indicating under Part B of Item I that none of the Restricted Person categories applies to it and the Investor is eligible to participate in New Issues in accordance with FINRA Rule 5130, and (ii) the box next to the applicable category under Part A of Item II to determine whether the Investor is a covered Investor (a "Covered Investor" as defined in Item II below) or indicating under Part B of Item II that none of the Covered Investor categories applies to it and the Investor is eligible to participate in New Issues in accordance with FINRA Rule 5131. An Investor that is an entity and that is also a Restricted Person under Part A of Item I or a Covered Investor under Part A of Item II may still be able to participate in New Issues if it indicates in Item III that it is also an exempted entity (an "Exempted Entity"). Accordingly, each such Investor should check the box next to any applicable categories under Item III to determine whether the Investor is an Exempted Entity. If you do not complete this Questionnaire, you may not be permitted to participate in New Issues to any extent, until you establish your eligibility to participate in New Issues to the Fund's satisfaction.

### ITEM I - DETERMINATION OF RESTRICTED PERSON STATUS:

Please check all appropriate boxes.

#### Part A The Investor is:

- (i) a broker-dealer;
- (ii) an officer, director, general partner, associated person<sup>12</sup> or employee of a broker-dealer (other than a limited business broker-dealer)<sup>13</sup>;
- (iii) an agent of a broker-dealer (other than a limited business broker-dealer) that is engaged in the investment banking or securities business;
- (iv) an immediate family member<sup>14</sup> of a person described in (ii) or (iii) above. Under certain circumstances, an Investor who checks this box may be able to participate in New Issues. The Fund may request additional information in order to determine the eligibility of an Investor under this Restricted Person category;
- (v) a finder or any person acting in a fiduciary capacity to a managing underwriter, including, but not limited to, attorneys, accountants and financial consultants;
- (vi) a person who has authority to buy or sell securities for a bank, savings and loan institution, insurance company, investment company, investment advisor or collective

<sup>12</sup> A person "associated with" a broker-dealer includes any natural person engaged in the investment banking or securities business who is directly or indirectly controlling or controlled by a broker-dealer, any partner, director, officer or sole proprietor of a broker-dealer.

<sup>13</sup> A limited business broker-dealer is any broker-dealer whose authorization to engage in the securities business is limited solely to the purchase and sale of investment company/variable contracts securities and direct participation program securities.

<sup>14</sup> The term "immediate family member" includes the Investor's: (i) parents, (ii) mother-in-law or father-in-law, (iii) husband or wife, (iv) brother or sister, (v) brother-in-law or sister-in-law, (vi) son-in-law or daughter-in-law, (vii) children, and (viii) any other person who is supported, directly or indirectly, to a material extent by an officer, director, general partner, employee, agent of a broker-dealer or person associated with a broker-dealer.

investment account<sup>15</sup> (including a private investment vehicle such as a hedge fund or an offshore fund);

- (vii) an immediate family member of a person described in (v) or (vi) above who materially supports<sup>16</sup>, or receives material support from, the Investor;
- (viii) a person listed or required to be listed in Schedule A, B or C of a Form BD (other than with respect to a limited business broker-dealer), except persons whose listing on Schedule A, B or C is related to a person identified by an ownership code of less than 10% on Schedule A;
- (ix) a person that (A) directly or indirectly owns 10% or more of a public reporting company listed, or required to be listed, in Schedule A of a Form BD, or (B) directly or indirectly owns 25% or more of a public reporting company listed, or required to be listed in Schedule B of a Form BD, in each case (A) or (B), other than a reporting company that is listed on a national securities exchange or is traded on the Nasdaq Global Market, or other than with respect to a limited business broker/dealer;
- (x) an immediate family member of a person described in (viii) or (ix) above. Under certain circumstances, an Investor who checks this box may be able to participate in New Issues. The Fund may request additional information in order to determine the eligibility of an Investor under this Restricted Person category;
- (xi) any entity (including a corporation, partnership, limited liability company, trust or other entity) in which any person or persons listed in (i)-(x) above has a beneficial interest<sup>17</sup>;

If you checked this box (xi) and you are an entity, please provide the aggregate percentage of direct or indirect beneficial interests owned by Restricted Persons in such entity: \_\_\_\_%.

Do not check this box if you are an entity that does not permit Restricted Persons to participate to any extent in New Issues.

- Part B**  None of the above categories applies and the Investor is eligible to participate in New Issues in accordance with FINRA Rule 5130. Check this box also if you are an entity that does not permit Restricted Persons to participate to any extent in New Issues.

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<sup>15</sup> A “collective investment account” is any hedge fund, investment corporation, or any other collective investment vehicle that is engaged primarily in the purchase and/or sale of securities. Investment clubs (groups of individuals who pool their money to invest in stock or other securities and who are collectively responsible for making investment decisions) and family investment vehicles (legal entities that are beneficially owned solely by immediate family members (as defined above)) are not considered collective investment accounts.

<sup>16</sup> The term “material support” means directly or indirectly providing more than 25% of a person’s income in the prior calendar year or living in the same household with a member of one’s immediate family.

<sup>17</sup> The term “beneficial interest” means any economic interest such as the right to share in gains or losses. The receipt of a management or performance based fee for operating a collective investment account, or other fee for acting in a fiduciary capacity, is not considered a beneficial interest in the account; however, if such fee is subsequently invested into the account (as a deferred fee arrangement or otherwise), it is considered a beneficial interest in that account.

## ITEM II - DETERMINATION OF COVERED INVESTOR STATUS:

Please check all appropriate boxes.

### Part A The Investor is:

- (i) an individual who is an executive officer or director of a public company<sup>18</sup> or a covered non-public company<sup>19</sup> (each, a "Company"), or a person materially supported by such executive officer or director (collectively, "Covered Investors"). If you are checking this box, please name the Company: \_\_\_\_\_; or
- (ii) any entity (including a corporation, partnership, limited liability company, trust or other entity) in which any person or persons listed in (i) above has a beneficial interest. The Fund may request additional information in order to determine the eligibility of an Investor under this Covered Investor category.

Do not check this box if you are an entity that does not permit Covered Investors to participate to any extent in New Issues.

- Part B**  None of the above categories applies and the Investor is eligible to participate in New Issues in accordance with FINRA Rule 5131. Check this box also if you are any entity that does not permit Covered Investors to participate to any extent in New Issues.

## ITEM III - DETERMINATION OF EXEMPTED ENTITY STATUS

An Investor that is an entity and that is also a Restricted Person under Item I or a Covered Investor under Item II may still be able to participate in New Issues if it indicates below that it is also an Exempted Entity. Please check all appropriate boxes.

The Investor is:

- (i) a publicly-traded entity (other than a broker-dealer or an affiliate of a broker-dealer, where such broker-dealer is authorized to engage in the public offering of New Issues either as a selling group member or underwriter) that is listed on a national securities exchange or traded on the Nasdaq Global Market, or is a foreign issuer whose securities meet the quantitative designation criteria for listing on a national securities exchange or trading on the Nasdaq Global Market;
- (ii) an investment company registered under the Investment Company Act;
- (iii) a corporation, partnership, limited liability company, trust or any other entity (including a private investment vehicle such as a hedge fund or an offshore fund, or a broker-dealer organized as an investment partnership) and the beneficial interests of Restricted Persons do not exceed in the aggregate 10% of such entity and the beneficial interests of Covered Investors of any one Company (as defined in Item II above) do not exceed in the aggregate 25% of such entity;<sup>20</sup>
- (iv) an investment company organized under the laws of a foreign jurisdiction and

<sup>18</sup> A "public company" is any company that is registered under Section 12 of the Exchange Act or files periodic reports pursuant to Section 15(d) thereof.

<sup>19</sup> A "covered non-public company" means any non-public company satisfying the following criteria: (i) income of at least \$1 million in the last fiscal year or in two of the last three fiscal years and shareholders' equity of at least \$15 million; (ii) shareholders' equity of at least \$30 million and a two-year operating history; or (iii) total assets and total revenue of at least \$75 million in the latest fiscal year or in two of the last three fiscal years.

<sup>20</sup> If you checked this box (iii), please be sure you have included the percentage information requested in Item I (xi). The Fund may request additional information in order to determine the eligibility of an Investor under this category.

(A) the investment company is listed on a foreign exchange for sale to the public or authorized for sale to the public by a foreign regulatory authority; and

(B) no person owning more than 5% of the shares of the investment company is a Restricted Person or Covered Investor;

(v) (A) an employee benefits plan under ERISA that is qualified under Section 401(a) of the Code and such plan is not sponsored solely by a broker-dealer, (B) a state or municipal government benefits plan that is subject to state and/or municipal regulation or (C) a church plan under Section 414(e) of the Code;

(vi) a tax exempt charitable organization under Section 501(c)(3) of the Code;

(vii) a common trust fund or similar fund as described in Section 3(a)(12)(A)(iii) of the U.S. Securities Exchange Act of 1934, as amended, (the "Exchange Act") and the fund

(A) has investments from 1,000 or more accounts, and

(B) does not limit beneficial interests in the fund principally to trust accounts of Restricted Persons or Covered Investors; or

(viii) an insurance company general, separate or investment account, and

(A) the account is funded by premiums from 1,000 or more policyholders, or, if a general account, the insurance company has 1,000 or more policyholders, and

(B) the insurance company does not limit the policyholders whose premiums are used to fund the account principally to Restricted Persons or Covered Investors, or, if a general account, the insurance company does not limit its policyholders principally to Restricted Persons or Covered Investors.

The undersigned Investor acknowledges that in making representations to brokers, the Fund will be relying upon the information provided by the Investor in this Questionnaire and agrees to notify the Fund promptly when any representation made herein is no longer accurate. If the Investor is a corporation, partnership, limited liability company, trust or any other entity, the person signing this Questionnaire (i) is authorized to represent the Investor and (ii) has the full power and authority under the Investor's governing instruments to do so.

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date